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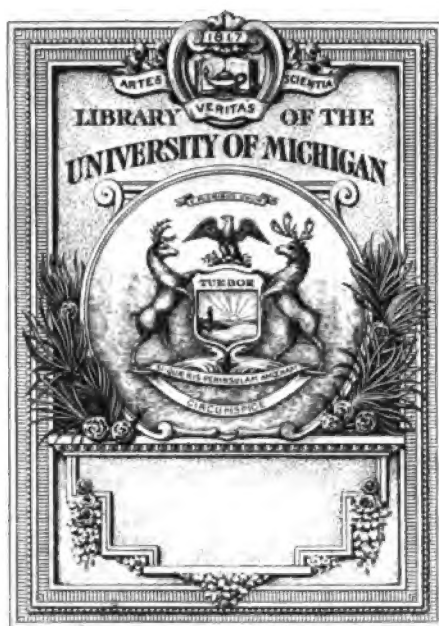
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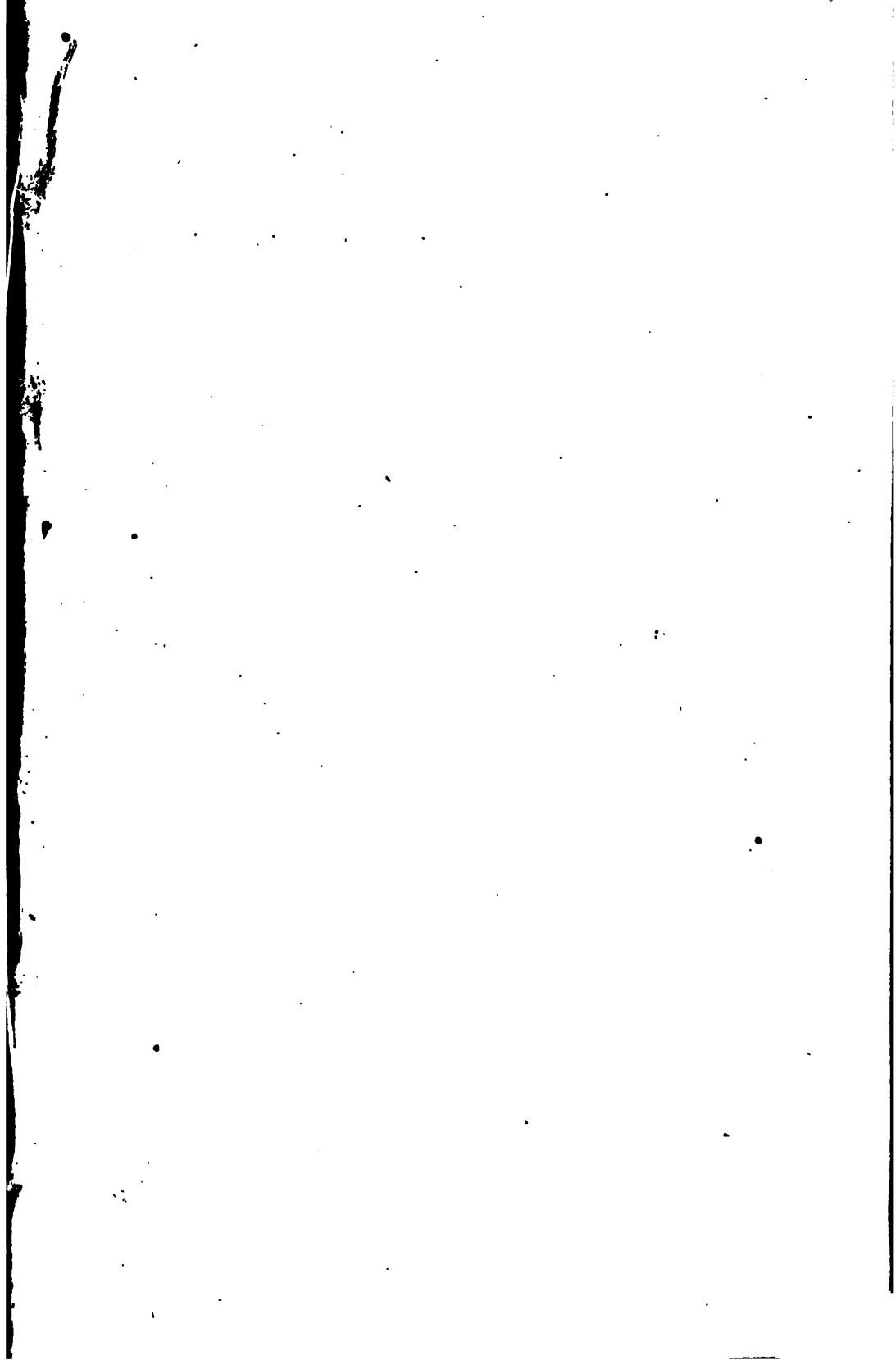
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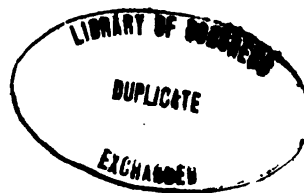


JOURNAL
OF THE
SENATE
OF THE
STATE OF NEW YORK:
AT THEIR
EIGHTY-FOURTH SESSION,

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE
FIRST DAY OF JANUARY, 1861.



ALBANY:
CHARLES VAN BENTHUYSEN, PRINTER TO THE LEGISLATURE,
1861.



JOURNAL OF THE SENATE.

STATE OF NEW YORK: SENATE CHAMBER, IN THE CITY OF ALBANY, TUESDAY, JANUARY 1, 1861.

Pursuant to the sixth section of the tenth article of the Constitution of the State of New York, designating the first Tuesday of January, in each year, for the time of meeting of the Legislature, the Hon. Robert Campbell, Lieut. Governor, and the following Senators, from the several districts, appeared in the Senate, to wit:

District No. 1.....	Edward A. Lawrence.
District No. 2.....	
District No. 3.....	Francis B. Spinola.
District No. 4.....	John McLeod Murphy.
District No. 5.....	
District No. 6.....	Benjamin F. Manierre.
District No. 7.....	Richard B. Connolly.
District No. 8.....	Hezekiah D. Robertson.
District No. 9.....	Robert Y. Grant.
District No. 10.....	Joshua Fiero, Jr.
District No. 11.....	John H. Ketcham.
District No. 12.....	Volney Richmond.
District No. 13.....	Andrew J. Colvin.
District No. 14.....	Joseph H. Ramsey.
District No. 15.....	Isaiah Blood.
District No. 16.....	Nathan Lapham.
District No. 17.....	Charles C. Montgomery.
District No. 18.....	James A. Bell.
District No. 19.....	William H. Ferry.
District No. 20.....	Francis M. Rotph.
District No. 21.....	Andrew S. Warner.
District No. 22.....	Allen Munroe.
District No. 23.....	Perrin H. McGraw.
District No. 24.....	Lyman Truman.
District No. 25.....	Alexander B. Williams.
District No. 26.....	Thomas Hillhouse.
District No. 27.....	Samuel H. Hammond.
District No. 28.....	Ephraim Goss.
District No. 29.....	Peter P. Murphy.
District No. 30.....	David H. Abell.
District No. 31.....	Erastus S. Prosser.
District No. 32.....	Walter L. Sessions.

Prayer was offered by Rev. Mr. Mayo.

The President, on taking the chair, addressed the Senate as follows:

SENATORS—Permit me to congratulate you upon your return here in health to resume your official duties.

The annual session of this body is practically limited to one hundred days; this fact, with the knowledge that the business of legislation in this State is increasing each year, should admonish you of the necessity of giving all important subjects that may be presented for your consideration, early and prompt attention—particularly the bills relating to our public works, and the annual appropriation and supply bills for the support of our State government.

There is a constant effort upon the part of many of the citizens of this State to seek special legislation for the accomplishment of objects that can be obtained under general laws; and you will allow me to say that if the bills to which I have referred receive an early consideration, and you shall adopt some rule to discourage the special legislation to which I have alluded, that you will be prepared to unite with the Assembly in early adjournment of this session.

You may rest assured of my best efforts to discharge the duties devolving upon Chair with fairness and impartiality, and I trust I may rely upon your aid and assistance to give effect to the rules which you shall adopt for my guidance and your government.

Mr. Warner offered the following resolution:

Resolved, That a committee of two be appointed by the President to wait upon the Assembly, and inform that body that the Senate is ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That Messrs. Warner and Connolly, be such committee.

Mr. P. P. Murphy offered the following resolution:

Resolved, That a committee of two be appointed by the President to wait upon the Governor and inform his Excellency that the Senate is now organized and ready to proceed to business.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That Messrs. P. P. Murphy and J. M. Murphy, be such committee.

Mr. Ketcham offered the following resolution:

Resolved, That when the Senate adjourns it will adjourn to meet daily, at 11 A. M., until otherwise ordered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Goss offered the following resolution:

Resolved, That the Clerk of the Senate be directed to invite the clergymen of the city of Albany, who have charge of religious congregations, to open the daily sittings of the Senate with prayer, and to attend in such order as shall suit their convenience.

Mr. Richmond moved to amend by adding the following:

That the clergymen of the city of Troy, be included in said invitation, and the clergy of Albany officiate the first half of the term.

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Fiero offered the following resolution :

Resolved, That the President of the Senate shall have power to fill all the offices and pages of the Senate now vacant.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Goss offered the following resolution :

Resolved, That the rules of the Senate, adopted at its last session, be in force until otherwise ordered, and that they be referred to the standing committee on rules.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Munroe offered the following resolution :

Resolved, That the Clerk of the Senate make the usual arrangements for the payment of all papers received by and sent out, also all public documents sent out by Senators and officers during the session.

Mr. Truman moved to amend by adding the words, " but that nothing be sent costing over ten cents postage "

The President put the question whether the Senate would agree to said motion to amend, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Abell	Grant	Manierre	Ramsey	Truman	
Connolly	Hillhouse	Montgomery	Spinola	Warner	
Fiero	McGraw	J. M. Murphy			13

FOR THE NEGATIVE.

Bell	Goss	Lawrence	Prosser	Rotch	
Blood	Hammond	Munroe	Richmond	Sessions	
Colvin	Ketcham	P. P. Murphy	Robertson	Williams	
Ferry	Lapham				17

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. P. P. Murphy, from the committee appointed to wait on his Excellency the Governor, and inform him that the Senate is ready to proceed to business, reported that they had discharged that duty, and that the Governor was pleased to say that in consequence of this being New Year's day, and regarded as a holiday, he would make no communication to the Senate until to-morrow.

Mr. Bell moved that the Senate take a recess until one o'clock.

Mr. Lawrence moved to amend, that when the Senate adjourn it be until to-morrow at eleven o'clock.

The President put the question whether the Senate would agree to said motion of Mr. Lawrence, and it was decided in the affirmative.

On motion of Mr. Lawrence, the Senate adjourned.

WEDNESDAY, JANUARY 2, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Rogers.

The journal of yesterday, was read and approved.

Mr. Warner, from the committee appointed to inform the Assembly that the Senate was ready to proceed to business, announced that they had discharged that duty.

Messrs. Prendergast and Varian, a committee from the Assembly, appeared in the chamber and announced that that body was organized and ready to proceed to business.

A message from his Excellency the Governor, by the hands of Lockwood L. Doty, his private secretary, was received and read, in the words following, to wit:

To the Senate and Assembly:

You have met under circumstances of more than usual interest, to perform the high and responsible duty of making laws which are to affect the honor, welfare and happiness of millions. High, because no earthly power is superior to that which prescribes rules of action for all; and responsible, because you are acting in a representative capacity, and are therefore charged with sacred trusts. If anything were needed to heighten the importance of your position, you have but to reflect that you represent the sovereignty of the State of New York, the noblest, the grandest commonwealth that ever had existence; an empire of nearly four millions of people, imperial in all its proportions, with interests the most varied, and hopes the most exalted. It has a proud history and a proud name to preserve. Those who fashioned our institutions have passed away, but their works stand, immortal monuments of their wisdom and patriotism, and accepted as fit models by other States. It remains for us to say whether these shall continue to be worthy of emulation, whether we appreciate the legacy committed to our keeping.

Entering upon our grave duties with the first day of the New Year, let us implore the favor, and seek the counsel of Him who has warded off the pestilence, who has quickened our energies, rewarded our labors with abundant return, and whose guidance has been apparent in every trying period of our country's history.

Having been chosen by your respective constituencies under circumstances which impose especial obligations upon yourselves, it is for you to determine whether the eighty-fourth legislative session shall be characterized by acts of wisdom and justice, by measures which shall confer honor upon your own names and reflect credit upon the State and country.

Let us each recollect that the people are the source of all political power, that their will is the simple and safe rule of conduct, and that, however complicated at times may seem the condition of public affairs, by permitting it to give shape and direction to our acts, we shall be representing the governed and shall thereby secure their approval.

Without pledges of any kind, save those imposed by duty to God, the Constitution and the laws, and anxious only for the passage of the wisest and best measures, I promise you my ready co-operation in perfecting such enactments as will promote the interests of the people and the honor of the State; and it may not be out of place here, in giving a new pledge for the performance of duty in a manner becoming my position, to express my gratitude for the continued confidence and support of the people.

In submitting for your consideration such general recommendations as I deem expedient, and in making such observations as are most deserving of notice, I shall leave to the very capable heads of the respective departments, to whose co-operation in the Government I am greatly indebted, the more specific and detailed statements and suggestions, anticipating only so much as will enable me to lay before you a general account of the condition of the State.

And first of all I would, in respectful though decided terms recommend a session as brief as is consistent with the public interest. The Constitution has practically limited even the most important sessions to one hundred

days, and I think it may be fairly inferred that it was not expected that ordinary sessions should be prolonged to that extent. One of the most serious evils of legislation is its excess. Such is the facility under our system for multiplying statutes and making innovations, that we scarcely reflect how serious a matter it is. Amendments are adopted, and laws are passed without any seeming demand for them. Every State in the confederacy has experienced this, and has tried to remedy it. Some have sought a corrective in the policy of biennial sessions. New York, restrained from following their example in this respect by her organic act, can only rely upon the wisdom of each recurring legislature for the needed reform.

I earnestly advise you to avoid the practice, by far too prevalent of local and special legislation. The great evil sought to be remedied by our present Constitution, was that of monopolies and class legislation. If difficulties arise, let general laws be amended or passed, but let our policy be opposed to special enactments. No rule can be more equitable than that of laying down general laws, and requiring all alike to regulate their conduct by them. Special laws interfere with the administration of justice, and operate unequally upon our citizens, engage the time and energies of the Legislature, and serve to confound rather than protect the rights of the people.

Our financial condition presents some interesting facts which I doubt not you will carefully consider.

The receipts of the treasury from all sources, during the fiscal year, ending with September 30th, 1860, were..... \$15,538,263 09
The balance in treasury on October 1, 1859, was..... 1,909,942 04

\$17,448,205 13

The total payments from the treasury during the fiscal year, were..... 14,148,667 64

Leaving a balance in the treasury on October 1, 1860, of \$3,299,537 49

The funded debt of the State on October 1, 1860, was of General Fund debt \$6,505,654 37
Of canal debt..... 27,064,584 48

Making a total of..... \$33,570,238 85

The stock or funded canal debt, outstanding on September 30, was authorized by the Constitution as follows, viz:

Pursuant to—		Bearing annual interest of—	
Article 7, section 1...	\$10,721,998 99	\$557,677 00	
do 7, do 3.....	13,200,000 00	782,000 00	
do 7, do 10.....	642,585 49	84,629 28	
do 7, do 12.....	2,500,000 00	150,000 00	
	<u>\$27,064,584 48</u>	<u>\$1,524,306 28</u>	

When, in any year, the surplus revenues of the canals do not exceed the sum of seventeen hundred thousand dollars, the Constitution requires that the interest on the old canal debt, amounting in the last fiscal year to five hundred and fifty-seven thousand six hundred and seventy-seven dollars, shall first be paid therefrom, and the balance, which last year was one million one hundred and eleven thousand nine hundred and thirty-four

dollars sixty-one cents, shall go to the Sinking Fund, established by article 7, section 1, to redeem the principal.

The balance of \$966,629.28, due for annual interest on the canal debt alone, was, last year, paid by anticipating the income of the direct tax, and will necessarily continue to be paid in the same manner so long as the surplus revenues are insufficient.

If the surplus revenues of the canals shall enable the Commissioners to set apart annually, to this Sinking Fund, the whole sum of one million seven hundred thousand dollars, it will form a fund sufficient to extinguish the debt of 1846, amounting to \$10,721,998.99 by the 1st day of January, 1867. This portion of the public debt is to be immediately reduced, by the payment of nearly one million dollars thereof due this day, the money for which is in the treasury.

The Legislature of last winter authorized a levy of one and one-eighth of a mill tax, to pay the interest on loans, overdrafts, and interest on overdrafts; but the money being needed before the taxes could be collected, the Commissioners of the Canal Fund, under authority of chapter 335, of the Laws of 1855, anticipated the collection of so much of it, by borrowing the sum of one million two hundred thousand dollars. This sum, which forms in the above table a part of the debt of \$13,200,000, will, with the accrued interest, be paid from the proceeds of that levy, on the 1st of January next.

There was, on the 30th of September last, of ascertained canal claims unpaid, the sum of \$580,653.84, consisting of drafts and certificates of Canal Commissioners, and of awards for land damages made by the Canal Appraisers. Of this sum, \$187,500 have been or will be paid out of the Floating Debt Loan, and the remainder, \$393,153.84, from the proceeds of the direct tax raised and to be raised under chapter 213, of the Laws of 1860. There are unascertained claims outstanding for the 15 per cent. withheld on contracts not yet completed. When due, these also will be payable from the taxes as above.

Under the provisions of chapter 105, of the Laws of 1857, the Contracting Board placed the ordinary repairs of the canals under the contract to the lowest bidder. The aggregate annual cost under these contracts, is \$259,372. Certain portions of the repairs, such as rebuilding locks and aqueducts, and other important structures, are excepted, and it is not, therefore expected, that that sum will cover the entire cost of the ordinary repairs. Although there are some evils consequent upon this system, yet its advantages are so manifest, that for the present at least it should be continued.

Assuming the correctness of the estimates of the State Engineer, the sum of six hundred thousand dollars, already raised on the credit of the half mill tax, and applicable to that object, will complete, ready for navigation by the first of May next, all the work under contract on the 1st of October last, thus opening the enlarged water channel of seven feet by seventy, throughout the entire line of the Erie, Oswego, and Cayuga and Seneca canals.

Although enlarged at too great a cost, and the completion quite too long delayed, it is, nevertheless, a matter of much congratulation that the end approaches, that no more laws imposing taxes for construction will be required, and ere you will have concluded your labors the present session, New York will possess, finished and complete, a system of internal works unequalled both for capacity and extent in this or any other country.

The Constitution disposes of the revenues derived from the canals, annually, in the following order, and for the purposes designated:

1st. To pay the expenses of collection, superintendence and ordinary repairs of the canals, which, during the fiscal year ending with September 30, amounted to \$726,976.03.

2d. To pay the interest, and provide a Sinking Fund to pay the principal of the Canal Debt as it existed on the 1st of June, 1846, \$1,700,000.

3d. To pay the interest, and provide a Sinking Fund to pay the principal of the General Fund Debt, \$350,000.

4th. To pay the interest, and provide a Sinking Fund to pay, in eighteen years, the canal debt of twelve million dollars, contracted to enlarge and complete the canals, viz:

Of interest	\$710,000 00	
Of Sinking Fund.....	406,242 65	
		<u>\$1,116,242 65</u>

5th. For the support of government, \$200,000.

6th. To pay the interest, and provide a Sinking Fund to pay, in eighteen years, the Floating Debt Loan of \$2,500,000, contracted under authority of article 7, sec. 12, of the Constitution, and chapter 271, Laws of 1859, \$288,888.88.

7th. The remainder to be expended each year upon the canals, until they are completed, and after that as the Legislature may direct.

From this brief statement of the requirements of the Constitution, as they affect the direction of the canal revenues, it will be seen that a gross sum of \$4,382,107.56 was necessary the past fiscal year to meet all its demands. A reference to this will also show that the principal of the canal debt will be reduced to the extent of two million two hundred thousand dollars by the 1st of January next, leaving due of that debt \$24,864,584.48, after that date.

It will appear, from the Auditor's annual report of the present year, that on the 30th September, 1859, there was, in the Treasury and invested, belonging to the Canal Fund, the sum of..... \$1,403,166 84
Received during the past fiscal year..... 7,947,166 15

\$9,350,332 49

The payments during the year for all purposes pertaining to the Canal Fund have been..... 6,975,814 78

Leaving a balance to the credit of the Canal Fund on the 30th of September of..... \$2,375,017 76

Of this balance there was on deposit in banks, to the credit of the Treasurer on account of the Canal Fund.. \$2,266,385 05

Of investments held in trust by the Auditor:

Bank Fund stock..... \$73,079 15
Canal stocks..... 10,050 00

Of Real Estate securities:

Walter Joy's Bank..... 20,354 06
Bank of Corning..... 5,149 50

108,632 71

\$2,375,017 76

The following summary presents the gratifying information that, as compared with the previous year, the Canal Fund income for the past year has

increased \$556,708.86, and the expenses of collection, superintendence and ordinary repairs, have decreased \$190,908.68, making a total gain of surplus revenues of \$747,612.44. Yet, to meet all the requirements of the Constitution the further gross sum of \$1,965,519.17 is necessary.

The receipts from the canals for the past fiscal year were as follows, namely:

For tolls on the Erie canal	\$2,055,220 22	
Champlain canal	114,128 11	
		<u>\$2,169,348 33</u>
Oswego canal		109,840 08
Cayuga and Seneca canal		20,089 09
Chemung canal		18,579 46
Crooked Lake canal		688 84
Chenango canal		22,214 37
Black River canal		6,330 71
Genesee Valley canal		30,801 74
Oneida Lake canal		290 33
Baldwinsville canal		23 17
Oneida River improvement		1,015 98
Seneca River towing path		144 05
Cayuga inlet		178 44
		<u>\$2,879,584 04</u>
Total from canal tolls		1,767 24
From rent of surplus waters		35,287 11
From interest on current canal revenues, &c.		<u>\$2,416,588 39</u>

The payments during the same period were as follows:

To Superintendents, for repairs	\$149,158 22	
To Contractors, for repairs	229,127 67	
To Canal Commissioners, for repairs, &c. .	231,753 23	
To Collectors, for salaries, clerk hire, pay of assistant collectors, inspectors, and expense of collectors' offices	87,021 37	
To Weigh Masters	9,867 67	
For salary of Auditor and clerk hire in Canal Department, salary and extra clerk hire of State Engineer, refunding tolls, printing, and miscellaneous payments...	40,048 62	
		<u>746,976 78</u>
Surplus revenues	<u>\$1,669,611 61</u>	

Although largely augmented, yet a deficiency of nearly two million dollars still exist in the income of the canals to meet its Constitutional obligations, and so long as the railroads are permitted to carry freight free of toll, it will be necessary to levy a direct tax annually to meet any deficit.

In my last annual Message, in view of the depressed condition of our finances, I recommended two measures of relief. The one was a restoration of the tariff or rates of Canal tolls, as they existed prior to the reductions of 1858 and 1859, and for which I gave my reasons at length, and to which, without repeating them, I would respectfully invite your attention. The other, was a reimposition of tolls upon competing railroads. The former of these recommendations was subsequently adopted, in part, by the Canal Board, and the State is now realizing, in greatly enhanced receipts,

the benefits of this policy. It is manifestly the duty of the Canal Board, and I believe it is their intention, to revise the rates of toll with a view to secure a further advance the present season. Respecting the policy of reimposing tolls on railroad freight, after discussing the question at length, in that communication, I said in conclusion:

"If, therefore, the constantly increasing amount of freight carried over the railroads has occasioned a corresponding diminution of our Canal revenues, until the interest on the Canal Debt, formerly paid from these revenues, has now to be drawn by direct taxation from the people, is there not an imperative necessity for protective legislation? I cannot doubt either the wisdom or the justice of reimposing, for a few years, a moderate rate of toll per ton, during the season of navigation, upon all freights passing over railroads competing with the canals, or of requiring these roads to pay an aggregate equivalent in money, annually, into the treasury. When the canals shall have been completed, the railroads should be relieved from a burden temporarily imposed, so that commerce may have the advantage of the quickest and cheapest means of transit for merchandise and produce to and from the vast and bountiful west."

The Legislature not having acted upon this recommendation, and in view of the importance of the subject, I felt compelled, in February last, to renew it in a special Message to both Houses, concluding as follows:

"We have now arrived at a point where the public creditor has no positive security that the interest and principal of his debt will be paid as it becomes due. He knows that it will not be paid from the fund consecrated to it, for that has been rendered insufficient by legislation. It was the intention of the Constitution that he should have a definite fund or revenue on which he could rely, beyond the control or neglect of the Legislature, and subject only to the remote contingency arising from a possible stagnation of business.

"If we allow the matter to remain as it is, the public creditor will have much cause to complain; but if we reimpose tolls upon railroads that are diverting and impairing the revenues of the canals, and suitably increase the tolls upon the latter, he will either receive back the revenues pledged to him, or their loss will be due to other causes than improvident legislation. At the same time the tax-payer will pay the taxes cheerfully, when he feels that he is not taxed to pay interest on the Canal Debt till every effort has been made to procure the required amount from the canals themselves."

Fully sensible of the large prospective demands upon the public treasury, and of the absolute necessity of meeting them, and believing that the tolls on the railroads should be at least temporarily restored, thereby relieving the tax-payers of a portion of their increasing burthens, it was a matter of very great regret to me that the Legislature did not see fit to adopt these recommendations. I am aware that the revenue contemplated by article 7 of the Constitution might not have been fully realized during the past year had this been done. Yet I believe that it would have been sufficient, during the present year, with this addition; thus removing all occasion for a direct State tax, except for the support of government and the purposes of education.

Subsequent reflection and observation have only confirmed the views I expressed in the two communications referred to, as to the wisdom and justice of placing tolls upon the railroads during the season of navigation; nor have they served to produce any fear that the competing railroad lines of other States will divert the business which legitimately belongs to the canals and railroads of our own State, and I therefore commend the whole

subject, with all its important relations, to your dispassionate consideration.

It is urged that the restriction as to rates of passenger fare over the New York Central railroad, now limited to two cents per mile, should be removed, if the tolls are reimposed; and as by the General Railroad Act, passed in 1850, all corporations formed under it have power to regulate the amount of compensation to be paid for transporting passengers and their baggage, with the simple reservation that such charge is in no case to exceed three cents per mile. It is not easy, perhaps, to assign any reason why the provisions of this act should not be extended alike to all the roads in the State.

As will be seen, there has been no change in the principal of the General Fund Debt during the year. The Comptroller, whose report will be presented to you at an early day, will submit for your consideration the condition of the several specific funds under his charge, together with the important facts connected with their revenue, and a detail of the estimates of the expenditures for the support of Government for the coming year. In this connection I will only add that the General Fund, which since the thirtieth of September, 1834, has been largely in arrear, has at last emerged from its embarrassments, showing a credit balance at the close of the past fiscal year of eighty-two thousand nine hundred and sixty-eight dollars and ninety cents; thus vindicating the present policy of "confining appropriations to the simplest and most economical necessities of government."

I cannot leave this topic without adverting to the subjects of taxation and retrenchment. The depleted condition of the Treasury, induced, it must be admitted, by a mistaken policy of previous years with respect to the Canals, and by pledging the credit of the State for improper objects, compelled the Legislature last winter to levy a direct State tax of three mills and five-sixths of a mill on each dollar of the taxable property of the State. Notwithstanding the present financial embarrassments, there is every reason for believing that these assessments, though large beyond all precedent, will be promptly met. The people have, at all times, cheerfully responded to demands, however onerous, whenever they have felt the positive necessity of doing so, whether to preserve the faith of the State or to carry forward to completion our great work of intercommunication between the Western Lakes and the ocean. But as we have seen, the latter is now nearly completed, and while the General Fund is in a condition to meet the reasonable claims upon it, we should be admonished in view of the errors of the past, which have compelled a resort to this excessive taxation, and in view of the present pecuniary difficulties of the country, to adopt that wise and just rule, which requires a rigid scrutiny of every measure seeking appropriations from the Treasury; and after the expensive lessons of former years, you will, I think, hardly need to be reminded of the injustice of committing the State, especially at this time, to measures of doubtful propriety, much less of making appropriations for any purpose in excess of the means provided.

The two fiscal bills of greatest public interest, are the General Appropriation bill and the "Supply Bill." The former of these, specifically provides for the support of the Government for the fiscal year commencing with October next following the session. This measure has sometimes been delayed in order to advance private interests. The "Supply Bill," originally intended to provide for the payment of such proper demands as could not be delayed until the General Appropriation bill fell due, has of late years been burthened with many inconsistent and unjust provisions, and, passed, as it usually has been, at the last hour of the session, the Ex-

ecutive is left only a choice between depriving honest creditors of their dues, or of authorizing the payment of thousands of dollars of demands, totally without foundation. To correct this serious and growing evil, I recommend that you introduce and perfect these two measures during the first month of the session.

The practice of annually applying to the Legislature for extension of time for the payment of taxes, may be repeated at the present session. The public interests require at your hands an emphatic denial should such an application be made to you. There seems to be no good reason why a tax levied in October should not be paid by the first of the following March. Those whose opportunities best qualify them to judge in this respect, as well as my own observations, satisfy me that movements of this character are not made by the tax-payer, for he, with commendable promptness, has paid over his dues; but by or on behalf of collectors and treasurers. The moneys are payable at the Treasury within a given period, where they are needed to meet the demands upon the State; whoever, therefore, for his own profit, delays or withholds them, is guilty of serious wrong, and is deserving of public censure. The moneys are frequently made use of by the custodians, and experience has shown that in the end, either the individual or the State is brought to suffer loss thereby. I felt it to be my duty on the seventh of March last, to return to the Assembly without my sanction, the bill entitled "An act extending the time for the collection of taxes in the several counties of the State." It was strongly urged that the payment of the delinquent taxes could not be enforced unless this bill became a law, but it is well known that the levy was collected without more than the ordinary difficulties. I would suggest that, instead of seven per cent, which is now chargeable on all balances due from county treasurers after the first of May, the Comptroller be authorized to charge ten per cent., that being the same as paid by individuals on taxes on non-resident lands. This would produce uniformity and cause more promptness on the part of those officers.

The Court of Appeals has decided that the law passed by the last Legislature entitled "An act in relation to capital punishment and to provide for the more certain punishment of the crime of murder," is *ex post facto* and void, as to capital offences committed before it took effect; and also, that such offences cannot be punished under the old law, because that was expressly repealed. For this reason, and the further one that the present statute abrogates the mode of putting to death by hanging, without providing any other, legislation upon the subject appears to be imperatively necessary, and its importance demands your immediate attention.

The exigency can be met by a statute very simple in its provisions. It should repeal the act of the last session, and should contain a proviso that such repeal should not affect crimes, or the indictment or punishment thereof, committed after the act of 1860 took effect, and before the one proposed shall become a law. Such an enactment would restore the old law as to capital offences committed before the act of last year was passed, and would preserve that act as to offences committed while it is in force. To restore the pre-existing law as to this class of crimes would be unconstitutional, and the same objections might lie, as to these offences, against a new law.

In order to execute the provisions of the law of 1860, the proposed act should contain a section, providing that in all cases, the punishment of death therein prescribed, shall be inflicted by hanging. In legislating on this subject, three classes of cases must be kept in view, to wit: offences committed before the late act took effect; those committed while it is in force; and those which may be committed after the passage of the act now

proposed. Such an act as here suggested, would restore the old law as to the first and last of these, and would preserve the existing law as to offences committed under it. This, I doubt not, is necessary and in accordance with public sentiment; but, if the policy of the State respecting the punishment of capital crimes, is to be changed in a manner so radical as was attempted in the law of last year, I advise that a new code be prepared for that purpose instead of attempting to amend existing laws.

The pardoning power, a prerogative conferred by the Constitution upon the Governor, is a delicate and necessary one, the proper exercise of which involves patient research, and the most careful discrimination. Juries are sometimes misled by circumstantial evidence, witnesses occasionally err, sometimes perjure themselves, youth and inexperience, the condition of the mental and physical health, signal and opportune services rendered in cases of outbreaks in prison, appeal forcibly to the pardoning power, and there are rare cases where newly discovered evidence is presented, which, if produced on the trial, would have changed the result; but where full opportunity was afforded, competent counsel was had, where the court and jury deliberately pass upon the case, and the sentence is manifestly not disproportioned to the offence, judgments of the courts should not be lightly disturbed. Still the way must ever be kept open for every form of petition, for all are alike entitled to share in the advantages of that merciful provision for modifying the severity of the law's decrees, which a wise people always lodge somewhere; yet even here abuses may creep in. It is a practice by far too common with the judiciary, of coupling with the sentence of offenders, positive or implied, (though always) unauthorized, promises of Executive interference. It is better that each official, executive or judicial, should perform his duty in the manner prescribed by the law, leaving penalties to fall upon those who have merited them; and any unsolicited interference by the courts after sentences have been pronounced, is not demanded by justice, and experience proves it to be pernicious in its influences. I believe that for some offences the term of imprisonment now fixed by law is excessive. I have heretofore urged the Legislature to confer larger discretion upon judges in fixing terms of sentence. When this shall be done and the public come to feel that the punishment meted out is a proper measure of the guilt, convictions will be more certain, there will be less occasion for Executive interference, and our penal code will operate as a powerful restraint upon the commission of crime.

In 1859, I deemed it due to the importance of the subject that I should visit the several State prisons, and personally examine as well those convicts who had previously applied for pardon, as those who, for want of friends, or other sufficient causes, were entitled to such consideration, and had made no application. In the administration of the pardoning power, there are great advantages in this course, and in my last annual message I referred to this subject in detail. In the month of September last, I visited the Auburn and Sing Sing prisons, spending two or three days at each, and examined two hundred convicts, pursuing essentially the same plan as before.

There were undecided on the 1st of January last, one hundred and eighteen applications for pardon, and one application for commutation; and there have since been received three hundred and forty-six applications for pardon, and two applications for commutation, and forty-six old cases have been reviewed, making in all five hundred and eight. Of these I have examined and decided three hundred and eighty-two; of which number I have pardoned seventy-eight, have denied two hundred and eighty-eight, have commuted fourteen, denied commutation to two; two have

died, two have been discharged by courts, and the terms of twenty-seven have expired before the applications were acted upon, and ninety-five, in consequence of the delay to perfect the papers, remain undetermined.

The number of persons pardoned for every description of offence, including misdemeanors, in 1820, was three hundred and fifty-four; in 1821, there was three hundred and eleven; in 1822, was two hundred and nine; in 1823, was one hundred; in 1824, was one hundred and eighty; in 1825, was one hundred and seventy-three; in 1826, two hundred and eighty-five; in 1827, was one hundred and ninety; in 1828, was two hundred and thirty-one; in 1829, was eighty-eight; in 1830, was one hundred and thirty-eight; in 1831, was one hundred and fifteen; in 1832, was one hundred and seven; in 1833, was one hundred and sixty; in 1834, was one hundred and forty-nine; in 1835, was one hundred and thirty-one; in 1836, was ninety-three; in 1837, was one hundred and eight; in 1838, was one hundred and fifty-eight; in 1839, was sixty-four; in 1840, was eighty-five; in 1841, was eighty; in 1842, was one hundred and fifty-eight; in 1843, was one hundred and thirty-three; in 1844, was one hundred and thirty-three; in 1845, was one hundred and thirty-two; in 1846, was one hundred and eight; in 1847, was one hundred and twenty-nine; in 1848, was one hundred and thirty-nine; in 1849, was thirty-five; in 1850, was sixty-two; in 1851, was one hundred and sixty; in 1852, was one hundred and eighty-six; in 1853, was two hundred and seven; in 1854, was two hundred and forty-nine; in 1855, was two hundred and fifty-three; in 1856, was two hundred and seventy-seven; in 1857, was one hundred and eighty; in 1858, was two hundred and four; in 1859, was eighty-three; in 1860, was seventy-eight.

In October last complaints were made to me that punishments, unduly severe, had been inflicted in one of our State prisons. Though the Constitution places the charge and superintendence of the prisons in other hands than mine, I nevertheless deemed it my duty to call the attention of the agent and warden to these statements, and received from him a denial of the allegations. The complaints, however are persisted in by responsible persons, and I would therefore recommend the passage of a law providing for the appointment of a commission, whose actual expenses alone should be paid by the State, to inquire into the system of our prison management, with reference alike to discipline and economical administration.

The Board of Inspectors have furnished the following statement of the earnings of the State prisons, during the year ending with September 30, 1860:

Of Sing Sing prison.....	\$111,640 92
Of Auburn prison	100,345 72
Of Clinton prison.....	26,640 92

Amounting to \$238,627 56

This is a gain, as compared with the previous year, as follows:

For Sing Sing prison.....	\$14,991 79
For Auburn prison	27,662 39
For Clinton prison	5,061 86

Being a total gain, during the year, of..... \$47,716 04

The actual receipts into the Treasury for earnings during the year were :

From Sing Sing prison, including female prison	\$99,993 77
From Auburn	98,286 53
From Clinton.....	23,273 02
Aggregate receipts	<u>\$221,553 32</u>

This sum necessarily differs from the amount stated as earnings, because the contractors are still indebted to the prisons on unfinished contracts.

The amount paid from the Treasury for the support of the prisons during the fiscal year was, for

Sing Sing, including female prison	\$138,135 36
Auburn.....	81,317 60
Clinton	63,252 61

Amounting, for support, to ..	<u>\$282,705 57</u>
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There has also been paid to

Sing Sing, for buildings and repairs.....	\$24,381 11
For books.....	200 00
	<u>\$24,581 11</u>
Auburn, for buildings.....	\$19,336 50
For books.....	200 00
	<u>19,536 50</u>
Clinton, for buildings.....	\$18,000 00
For books.....	100 00
	<u>\$18,100 00</u>
Salaries of Inspectors	4,800 00
Traveling expenses of Inspectors.....	2,305 46
Transportation of convicts.....	20,017 00
Asylum for insane convicts, for support.....	19,586 33

Total expenditure of.....	<u>\$391,631 97</u>
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Or a deficiency of \$170,078.65 in the revenues of the prisons paid in, to meet the entire cost of the prison system, including the expenditure for buildings and permanent repairs. If we take the difference between the earnings and the total expenditure, it will be found to be \$153,004.41.

It will be seen that Auburn prison has earned within a fraction of sufficient to pay the whole cost of its support, and also to pay \$19,336.50 for buildings; that burthened with the female prison, Sing Sing prison has earned within \$26,494.44 of its support; and Clinton has made a net gain of \$12,827.92 during the year.

As will be seen from the following table, the number of convicts is increasing, and it is worthy of consideration, whether persons convicted of the less heinous offences should not be sentenced to the county penitentiaries. The Legislature last winter authorized the expenditure of \$20,000 for enlarging Auburn prison, but that, as well as the other prisons, will soon be insufficient to meet the demands upon them; and it is a question, which it will be soon necessary to answer, whether we shall not be obliged to build another prison somewhere in the southern tier of counties. Discipline and economy would seem to discourage the idea of increasing the number of cells in the present prisons.

	Sing Sing.	Aub'n.	Clinton.	Total.
Number of convicts on September 30, 1859.	1228	811	447	2486
Received during the year ending September 30, 1860.....	487	283	114	884
	<u>1715</u>	<u>1094</u>	<u>561</u>	<u>3370</u>
Discharged by expiration of sentence, pardoned, died, and escaped.....	340	241	130	711
	<u>1375</u>	<u>853</u>	<u>431</u>	<u>2659</u>
Of the above there were in the Sing Sing prison on September 30, 1859, of females.....				136
Females received during the year				49
				<u>185</u>
Discharged, pardoned and died.....				48
Female convicts in Sing Sing prison on September 30, 1860....				<u>137</u>

From the foregoing statements it will be seen that the earnings fall short of the entire support of the convicts only forty-four thousand and seventy-eight dollars and one cent; and but for the two fires at Sing Sing, the cost of the support of that prison would have been more nearly met. There is reason to fear, however, that owing to the stagnation of business, and the consequent disinclination of contractors to engage convict labor at the most remunerative prices, that the current year will be less prosperous than the preceding one. Hence care should be taken in making provisions for the future, lest estimates predicated upon the statistics now presented, may, for the reasons stated, be insufficient. We have every assurance, however, that whatever can be accomplished by economy and regard for the interests of the State, will be done by the prison officers.

The Asylum for insane convicts at Auburn, has been conducted during the past year at an expense of nineteen thousand five hundred and eighty-six dollars and thirty-three cents. This sum embraces an expenditure, as stated by the Inspectors, of \$3,269.63, for buildings and repairs. The earnings have been eighteen hundred and twenty-one dollars and thirty cents. The asylum was opened in February, 1859. From that date up to the 30th September last, the whole number of insane convicts received was sixty-nine; fourteen of whom have been discharged, leaving fifty-five in the institution at the latter date. During the past year fourteen patients have been admitted, and ten discharged. Of the humanity of an asylum of this character, it is needless to speak.

I recommended the last Legislature to provide for reviewing the claims of Jacob D. Kingsland against Clinton State Prison, believing the award of fifty-nine thousand two hundred and thirty-nine dollars and sixty-one cents against the State, to be both excessive and invalid. An act was accordingly passed, directing the Governor to appoint three Commissioners, to whom all matters in difference between the State and Mr. Kingsland should be referred for final adjustment. An agreement was duly executed to abide by the award. The three Commissioners, who were then appointed, entered upon the discharge of their duties, and after a most thorough and careful examination of the matters and claims submitted under the law, they reversed the determination of the two Commissioners made in 1859,

as above, and instead thereof, decided that the People have a just and legal claim against Jacob D. Kingsland, of seven thousand eight hundred and ten dollars and eighty-six cents.

Our educational system is justly the pride of the commonwealth. Granting to all a thorough course of common school instruction, New York fully recognizes the duty of the State to educate her children. Depending for their stability and perpetuity, as do our institutions, and the safety of life and property, upon the intelligence and moral worth of the people, it becomes a matter of the first importance to retain, unimpaired, so far as may be, the plan which thus far has been productive of such inestimable benefits. The provisions of our laws, as they affect the school system, are generally approved, and should not be lightly disturbed. It is bad to commit errors in financial and political policy, but infinitely worse to do so in matters pertaining to the education and future happiness of our children. Although heavily taxed, our people show no disposition to avoid assessments for the support of schools, and it may be remarked, as an evidence of their liberality, that more than thirteen hundred thousand dollars are paid out of the public treasury, annually, for this purpose. The Superintendent of Public Instruction, who, in the discharge of his duty, has visited nearly every portion of the State, will submit to you, in his annual report, many interesting facts and conclusion respecting the workings of the system; and that, in the improved style of school houses, the qualifications of teachers, and the general improvement in other respects, we have proof that these educational advantages are appreciated by the people.

The academies of the State, under the supervision of the Regents of the University, are in a condition of advancing prosperity. Their reports for the last year show an increase in the number of pupils over those of the preceding year, and an advance in the course of instruction. They furnish an education well adapted to the practical purposes of life, and provide, especially for the rural districts, a large portion of the teachers of the common schools.

The colleges, in all that contributes to the highest classical and scientific education, have attained a high position, thus relieving our citizens from the necessity of sending their sons to the institutions of other States.

The Secretary of State will submit to you his annual report, embracing the statistics of pauperism, as shown by the returns to his office, of the superintendents of the poor of the several counties; and also his annual report on the criminal statistics of the State.

Our present Banking Capital is larger than ever before, it having reached an aggregate of \$111,834,347, an addition of \$837,307 during the past fiscal year. The increase of Bank note circulation during the same period was \$1,453,524. The details of our Free Banking system having been subjected, during a period of more than twenty years, to such amendment as experience has from time to time suggested, it is now in pretty general favor with the community, and, as a system, is undoubtedly far preferable to any former one.

During the recent financial panic, occasioned by political disquietude, the banks of the city of New York, in view of the important bearing it would have upon the business interests of the country, adopted the enlightened policy of very considerably increasing their discount lines. The wisdom of this course was fully vindicated by the marked relief it afforded to the community.

In conformity to the law of April 15, 1859, establishing the Insurance Department, a Superintendent was appointed by the Governor and Senate, who entered upon his duties on January 11, 1860. His general powers are

the same as those previously conferred upon the Comptroller in relation to insurance companies. On the first of March last, the Superintendent submitted to the Legislature his first annual report. From this it will be seen that eleven new joint stock fire insurance companies were organized during the year 1859, with an aggregate capital of \$1,900,000, and that four old companies added \$850,000 to their capital, making a total increase of capital during that year of \$2,750.00. During the year 1860, two fire insurance companies were organized, with a total capital of \$250,900; while three old companies added \$550,000, making an aggregate increase during the year of \$800,000. The Superintendent has either personally or by commission examined seven companies which were deemed unsafe. Six of these, with an aggregate capital of \$956,511.50, on examination, were found not to possess sufficient assets to justify their continuance in business, and were therefore dissolved on the application of the Attorney General. The assets of the remaining one, with a nominal capital of \$100,000, were found to be insufficient. The motion of the Attorney General before the Supreme Court, to dissolve, was denied, and an appeal is now pending. No marine insurance company was incorporated in 1860. Three life insurance companies were organized, with an aggregate capital of \$450,000. The Department now holds about \$2,000,000 of securities, deposited by life insurance companies for the protection of policy holders.

A separate department, devoted to this important interest, has long been required, and under the management of the present Superintendent, the propriety of its establishment has been made clearly manifest. Some amendments are found to be necessary in reference to the manner of making reports by Marine Insurance companies doing business under special charters, and also in respect to the power of the Superintendent to examine into the affairs of unsound companies of this class. It will be remembered that the salaries and expenses of this department, though paid from the public treasury in the first instance, are reimbursed to it by the several insurance companies.

You will receive from the State Engineer and Surveyor his annual report on the canals, containing information in relation to his proceedings under the law of 1850, together with such suggestions in that relation as he deems the public interest requires. He will also communicate his annual report on the railroads of the State for the past fiscal year.

The annual report of the Canal Appraisers, for 1860, will show that, since January 1, 1855, nearly three thousand claims have been filed with that board, for canal damages, amounting in the aggregate to over five millions of dollars. Of this number, they have examined about eighteen hundred claims, upon which three million five hundred thousand dollars were claimed, and have awarded thereon about one million dollars. It is believed that five hundred thousand dollars will be sufficient to pay the remaining claims of this class which are not yet passed upon by the Appraisers.

The amount of revenue derived from the Onondaga Salt Springs during the past year, was about fifty-six thousand dollars, or one cent per bushel, on an inspection of about five millions six hundred thousand bushels, a reduction from the inspection of the previous year of more than a million of bushels. The improving quality of the article, is procuring for it a more extended market, and, if the reasonable expectations of those who are the most conversant with it are not disappointed, the business of the present year will exceed that of any previous one.

In September last I visited the Reservation, and had an opportunity of personally examining the salt works. When fully developed, and the whole property of the State at that point brought into use, I cannot but

believe that the income from this source will be largely increased. The State now owns about one thousand acres, estimated, together with the appurtenances, to be worth at least two million of dollars, and the salines themselves are of incalculable value; yet, as will appear from the following statement, they have for a number of years past, averaged a net income of only about three-quarters of one per cent. on their estimated value. The net receipts for

Five years, ending with September 30, 1850, were.....	\$118,449 67
Five years, ending with September 30, 1855, were.....	92,324 15
Five years, ending with September 30, 1860, were.....	28,220 82

Aggregate net receipts for fifteen years.....	\$283,994 64
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Average net annual receipts, during fifteen years, \$15,599.64. Legislation has unwisely reduced the duties on this important staple. Were the consumption of salt confined exclusively to our own State, it would be a matter of less importance whether the revenue from duty was larger or smaller; but when it passes our own borders, as five-sixths of it does, the unreasonably low tariff operates unjustly upon the people of this State. In view of which, I recommend that the duty be increased to two cents per bushel.

The annual report of the Commissioners of Emigration will be duly submitted to you. To that I refer you for important statistical information and interesting details, connected with the institutions under charge of that board. During the year 1860, the emigrants arriving at the port of New York numbered one hundred and four thousand three hundred, being an increase of more than 20 per cent. over the two preceding years. The Commissioners have suitably altered one of the present hospital buildings for a lunatic asylum, and have it nearly ready for the reception of insane emigrants. The responsible character of the duties of the Commissioners, render it necessary for them to examine personally into the affairs connected with the institutions on Ward's Island and at Castle Garden; and they are, therefore, able to speak understandingly respecting these establishments. It is worthy of remark, that the Commissioners receive no salary, or other pecuniary considerations for their services.

No provision having been made by the Legislature for obtaining a new quarantine station, the Commissioners for its removal have been unable to accomplish anything towards a permanent establishment. The seasons of 1859 and 1860 were remarkable for their healthy character; hence no evil resulted from the absence of legislation on this subject. But experience admonishes us that immunity cannot be relied upon with safety for another season. Common prudence and humanity alike demand that suitable measures be taken for the care and treatment for the future of yellow fever and other contagious diseases.

The floating hospital was anchored in the lower bay, and prepared for the reception of patients, on the 25th of June last. The force was placed in charge of an experienced and qualified physician. Fifteen cases of quarantine diseases, of which eleven were yellow fever, were treated; fourteen recovered, and one died. On the last of October, the hospital being no longer required for the season, it was placed in a winter berth at Red Hook. It is the opinion of the Commissioners that the small-pox hospital at Blackwell's Island, and the numerous hospitals on Ward's Island, will afford all the accommodations required for quarantine purposes during the winter months. I think it would be right, and therefore recommend, that the quarantine Commissioners be clothed with power to sell the property

on Staten Island; and that sufficient means be placed at their disposal to procure a suitable location for a permanent quarantine hospital. It was for this purpose that the quarantine commission was created.

I recommend a revision of the laws with reference to quarantine and the Commissioners of Emigration, not so much for the introduction of new provisions, as for the purpose of explaining and reconciling existing laws. At present, duties are imposed upon the health officer, and others, which involve considerable expense, while no provision is made for reimbursing them.

The provisions made by the law of 1859, for the care of the sick arriving at the port of New York, have relieved the physician to the Marine Hospital from a large portion of his duties, so that he can no longer render services proportioned to the salary of five thousand dollars, fixed by law for that officer. As the term for which the present incumbent was appointed will expire before your adjournment, and deeming it unnecessary that a new appointment should be made, I would recommend the abolition of the office, and the distribution of its few remaining duties among other officers.

The Commissioners, under the act of April 16, 1860, for ascertaining and collecting the damages caused by the destruction of the Marine Hospital and other buildings and property at quarantine, on Staten Island, met in June last, and spent several weeks in a careful and rigid examination of the claims presented for their consideration. They certify that the damages sustained to the hospitals and other property of the State by fire, in September, 1858, was..... \$194,402 50
Interest on same to date of award..... 12,848 29

\$207,250 79

Damages to personal property of the State..... 12,628 70
Interest on last..... 1,718 90

Total award to the State..... \$221,598 39

The value of the property of individuals destroyed at the same time, and whose loss was inquired into, amounts to about \$8,115. The supervisors of the county of Richmond, at their meeting last month, resolved to accept the foregoing award of the commissioners, and it is presumed they will proceed at once to issue the official bonds of the county to pay the damages, as authorized by the act. These bonds are to be repaid in ten years, with interest annually, by assessing and collecting from the taxable property of the county, each year, one-tenth part of the principal, with the accrued interest.

The award for individual losses is payable from the county treasury, in the same manner as any other county charge, whenever the moneys shall be raised by taxation for that purpose.

The board of equalization, created by the act of April fourteenth, 1859, composed of the Commissioners of the Land Office, and the State Assessors, have collected important facts regarding valuations throughout the State, enabling them to make a more equal apportionment of taxes among the several counties than hitherto. At best, however, our present mode of assessing property is found to operate unequally. To remedy this, it is believed there should be a revision of the existing laws on the subject.

The organized portion of the militia of the State, comprises nineteen thousand four hundred and thirty-five officers and men, uniformed, armed, and equipped, and for the most part in a creditable state of discipline.

The unorganized portion of the militia, or that part which is required by the law to be enrolled, as liable to be drafted into service in case of insurrection or invasion, comprises, by estimate, four hundred and fifty thousand men, making the disposable force of the State amount in the aggregate to at least four hundred and sixty-nine thousand four hundred and thirty-five officers and men.

Though I trust it may never be necessary to employ this strong arm for any unfriendly purpose, yet "a well regulated militia is necessary to the security of a free people," and to maintain such an organization is a part of the established policy of our country. The "right of the people to keep and bear arms" is one secured to them by the Federal Constitution. Although fully enjoying our liberties, it is the dictate of prudence that the military spirit of our State should continue to be fostered. Ever ready in the past to defend their institutions, we have, for the future, in our citizen soldiery, a pledge of domestic security, and of safety from external violence.

The arsenals and armories of the State, those liberal contributions to the wants of our citizen soldiery, are, with a single exception, in excellent condition, and are occupied by the organized militia of the districts in which they are respectively located. The exception to which I allude is the Brooklyn arsenal, which, after a thorough examination by the Commissary General and a number of scientific and military gentlemen, was condemned as unsafe, and the use of it for drilling absolutely prohibited. The report of the Commissary General will be presented to you in a few days, and will contain information and suggestions upon this subject, as well as upon others which will be found to be important as connected with the military department.

The Metropolitan Police has steadily grown into popular favor, and now commands general approbation. At the last presidential election, an occasion when every unruly element of the populace has usually had full sway, so peaceful and orderly were the streets, and particularly the polling places, that the police won the approbation of all good citizens. The act of last winter reduced the number of commissioners from seven to three, enlarged their powers, and conferred upon them new and important duties. The police district comprises the counties of New York, Kings, Westchester, and Richmond, and the towns of Jamaica, Newtown, and Flushing, in the county of Queens. The area of territory embraced in the district is nine hundred and twenty square miles, with an estimated population of one million four hundred thousand. The force consists of a superintendent, four inspectors, thirty-two captains, one hundred and forty-three sergeants, and sixteen hundred patrolmen. The supervisors of the county of New York have recently authorized four hundred additional patrolmen for that city. In the city of New York there is one policeman to six hundred and fifty inhabitants, in Brooklyn, one to thirteen hundred and eighty. In European cities the relative number of policemen is much greater. The services rendered by the different departments of the police in enforcing the law for the suppression of liquor selling and theatrical exhibitions on Sunday; in inspecting the safety of ferry boats and manufactories, the condition of tenement houses, and the cleanliness of slaughter-houses, to which, in a large degree, must be ascribed the exemption of New York from diseases incident to hot weather; and in reporting and causing to be taken down or repaired all unsafe buildings, together with the ordinary patrol and detective duty, entitle the force to the designation of guardians of the public morals, health, and order. Another important service performed by the police is that of the examination of boilers. Many of these

have been found in an unsafe condition, and experience has demonstrated that the duty of inspection can be performed by the police more thoroughly and economically than by an independent board of inspection. No precaution will prevent occasional accidents from steam boilers, yet authority should exist for compelling the observance of such proper regulations on this subject as will protect life and property. It is probable that some amendment of the police act in this regard will be required, as well as in respect to the power of compelling the payment of the expenses of purifying tenement houses, and also in other matters of minor details. The report of the commissioners, which will be duly submitted to you, contains much important information, as well as many valuable suggestions and recommendations, affecting the public welfare, and I commend it to your most serious and careful attention.

The Board of Commissioners of Pilots have continued during the past year to discharge the duties imposed upon them, although the Legislature of last winter made no provision for the expenses incident thereto. The necessity of protecting the wharves and piers of New York from misuse and incumbrance, and the waters of the harbor from encroachment, is too obvious to require argument. The vigilance of the commissioners has prevented, to a great extent, the practice of throwing forbidden articles into the waters, the improper discharge of cargoes and incumbering of the wharves and piers. They have caused the removal of several sunken vessels, which have endangered navigation. But among the most prominent acts of the board has been the removal of a portion of pier number fifty-one, North river, which extended twenty-nine and a half feet beyond the pier line, as fixed by law, and was constructed after the line was established. Great credit is due to the commissioners for the prompt, efficient, and fearless manner in which they have discharged the responsible duties devolving upon them in procuring from the courts a perpetual injunction restraining the completion of the unfinished pier south of pier number one, North river. An appropriation should be made for the proper charges of the commissioners.

Chapter 510, of the Laws of 1860, created in the city of New York, the department of public charities and correction, and abolished the alms-house department. The commissioners, four in number, appointed by the comptroller of that city, have reorganized the establishments under their charge. They recommend several amendments to the laws, to enable them more effectually to accomplish the objects of their appointment. It is claimed by them that much injustice is occasioned by the operation of those laws which except the county of New York from a distributive share of the commutation moneys paid by ship owners, masters, or consignees, although that county is obliged, like all the others, to support its share of the foreign poor; and that, in exempting the Commissioners of Emigration from supporting those persons or passengers who have been absent from the State more than one year, the county of New York, for obvious reasons, becomes unjustly burdened. Under the present system of commitments, by the police courts, to the institutions on Blackwell's Island, for intoxication, the same party may be, and often is, committed fifty, and in some instances seventy-five times; and, on an average, each individual is committed six times. The sentences of the offender are from two to ten days, a period just long enough to enable him to rest in his revolutions, recover his sobriety, partake of the hospitalities of the prison, and then go forth, certain only to gravitate again to his friendly quarters. Although fully aware of the vagrant character of many of the persons so frequently sentenced by them, the police magistrates have no power to commit for vagrancy, an

offence not proven, nor, even indeed, alleged against those so regularly brought before their courts. A conviction on this charge would procure for these persons much longer sentences, and would serve, in a great measure, to cure the evil complained of; and it is submitted whether it should not be made the duty of some officer to attend the police courts in the character of public complainant against this class of offenders.

I think some amendments are necessary to chapter seventy-two, of the Laws of 1850, relating to the harbor masters of the port of New York. The defect of the law is found to be in not prohibiting harbor masters from employing assistants to perform their duties and from absenting themselves from their posts; and it is believed that these subordinates, to some extent, exact and receive illegal fees for berthing vessels. Stringent provisions against the employment of assistants under any pretext whatever, and against demanding, receiving, offering or paying gratuities should be adopted.

The commissioners of the central park of the city of New York, report the amount already expended by them in the purchase of land and improvements, to be \$5,744,798.74; and that the amount yet unexpended of the means authorized to be raised for the completion of the park is one million and eight hundred thousand dollars. Although now held in much favor by all classes, yet the great importance of this noble undertaking will continue to grow in public esteem, and will be more and more prized from generation to generation. For the sake of efficiency it is suggested that the number of commissioners be reduced from eleven to five.

The commissioners appointed by the act of April 3, 1860, to ascertain and mark the boundary line between the States of New York and Connecticut, in conformity with the survey of 1731, have been unable to agree with those on the part of the latter State. The various propositions made having been declined, and the joint commission failing to agree upon a basis, the commissioners for this State proceeded to run, and have run and marked a line, which is represented as being satisfactory to the people on both sides of the boundary, and have placed monuments at the proper points. Their report, presenting the details of their proceedings, will be transmitted to you, together with a communication from the Executive of Connecticut.

While the State should be exactly just, and while I should be unwilling to counsel a withdrawal of its patronage from the several charitable institutions which have hitherto enjoyed it, I would suggest the adoption of a more rigid system of accounting and economy. The doctrine of strict accountability should apply as well to our charities as to any other interest. I am sure that no valid objections can be urged against this by those into whose hands the interests of these important establishments are committed; since it will afford to the people a satisfactory guaranty that the moneys appropriated to those objects have a proper direction. I would recommend that all applications for aid to state institutions, beyond that for usual and necessary support, should be carefully scrutinized, for it cannot be denied that while their ordinary affairs have been managed with care, large expenditures have sometimes for mere ornamentation. If we keep constantly in mind the fact that the tax-payer is charged with the care and support of the poor of his own locality, and, in addition, willingly pays all that is required of him for these general purposes, applications for aid will be more carefully considered; and, by limiting the amount only to actual wants, we may be less liberal but more just.

The New York Institution for the Deaf and Dumb is successfully accomplishing the important work assigned it. As respects educational efficiency,

extent of accommodations, and the number of pupils, it is nowhere surpassed. The building is an imposing structure, built at a large expense, on Washington Heights. The present number of pupils is three hundred and three, of whom two hundred and fifty-two are beneficiaries of this State, and thirteen of New Jersey, and thirteen are paying pupils from other States. The buildings are designed for four hundred and fifty inmates. The annual cost to the State for educating each of its pupils is one hundred and fifty dollars. The proportion of mutes to the population of the State is estimated to be as one to two thousand, and, estimating the number of inhabitants of New York at four millions, it would appear that but about one-seventh of the mutes of the State are enjoying the advantages of the institution.

The New York Institution for the Blind had in charge, on the 3d of December last, two hundred and ten pupils. A charity which extends the hand of instruction to a class so helpless as the blind, is entitled to the sympathy of all. It is gratifying to know that a large proportion of the graduates of this institution are capable of earning, and that many of them do earn, their own support in after life. The course of education consists of instruction in the ordinary English branches and in some suitable industrial pursuit.

The Asylum for Idiots, located at Syracuse, is evidently accomplishing all its originators predicted. During the past year new methods of instruction, improvements in the system of management of the pupils, and the conduct of the household, have been introduced; and greater attention has been given to industrial education. The farming operations, accomplished principally by the labor of the larger boys, have been quite productive, and a branch of mechanical labor has been successfully tried. There were connected with the institution, during the past year, one hundred and forty pupils, of a class of children known to be peculiarly subject to bodily ailments, yet, no death, nor hardly a case of sickness, occurred.

The Inebriate Asylum is approaching completion. Already three-fourths of the mason work is finished, in a substantial manner. The building is to be so constructed as to accommodate four hundred patients. Four thousand two hundred and eighty-one applications have been made for admission to the institution when completed; and it is an interesting fact that these are confined to no locality, but have come from every State in the Union, and from almost every town in our own State. Every reasonable encouragement should be given to test the efficacy of the experiment proposed by the friends of this institution.

The managers of the House of Refuge, at Randall's Island, in the city of New York, received about one thousand children during the year 1860; and there are now in the House about five hundred and fifty, of whom one hundred and five are girls. The building for girls is completed, and has been occupied since February last. The delinquents of both sexes are now classified; the younger and less vicious children are, under the present plan, kept from all communication with the more corrupt. Each class has its own work shop, school room, play ground and dormitories. The discipline of the institution is thus more easily maintained, and the improving influences are brought to bear more directly upon each inmate.

The Western House of Refuge, located at Rochester, was opened in August, 1849. Thirteen hundred and ninety-seven delinquents, in all, have been sentenced to that institution; of which number there were received, from the first of January last, to the latter part of November, one hundred and thirty-six. One hundred and forty-five have been discharged during

the year, five escaped, and three have died; and on November 22d, four hundred and nine remained.

Closely connected with the growing healthiness in the public finances, is our agricultural prosperity. Underlying, as does this great interest, the material progress of the country, and the advancement in the arts of civilization, everything relating to our political economy is necessarily graduated by it. We are poor or rich as our agricultural productions are meagre or bountiful. This pursuit, engaging nearly or quite one-half of the population of the State, sets in motion the wheels of internal commerce, and crowns with plenty and happiness, the homes of our people. So thoroughly is the agriculturist coming to understand the principles of cultivation in the employment of fertilizers which science proves to be peculiarly adapted to his soil; in providing himself with implements of husbandry specially fitted for his use; in feeding his herds with those articles most conducive to their growth and improvement, that he spares himself in toil, and is blessed with increased return for his labors. And although it has not reached its highest development, agriculture has made great advances, and a broad and permanent foundation is laid for the more perfect structure.

Nearly a quarter of a century ago, a plan for an agricultural school was discussed, and measures, looking towards establishing one, were taken. Nothing material, however, was effected until the winter of 1853, when a charter was obtained for the New York State Agricultural College, located at Ovid. Three years later, the Legislature authorized a loan of \$40,000 to it from the State treasury, on condition that a like sum should be raised by private subscription. This was promptly done, and the work of constructing the necessary buildings was at once entered upon. Although Europe has a large number of educational establishments devoted to agriculture and adjunct sciences, this college is among the first of the kind established in this country. It is now nearly or quite ready for the admission of pupils.

The People's College, at Havana, in Schuyler county, is not yet completed, though the main building, an imposing structure, is inclosed, and the work upon it progressing. The institution promises important advantages to those for whom it is designed, from which class over three hundred applications for admission have been already made.

A remedy is seriously demanded by the public, for the embarrassments occasioned by the inability of the courts, especially the Court of Appeals, and the courts in the city of New York, to dispose of the business before them. A difficulty striking so directly; as does this, at that cardinal doctrine of our government, that justice shall not be deferred, is worthy of your most careful attention.

The law of 1860, entitled "An act concerning the rights and liabilities of husband and wife," involves changes, the extent and radical nature of which could not, I think, have been fully comprehended by its framers. To these I invite your careful attention.

I would again urge the importance of requiring each county to pay the cost of the transportation of its own convicts to State prison. The abuses which exist in connection with this service can be remedied in no manner so well as to place the accounts open to the personal inspection of the tax payers. This course would not be simply a change of the burthen from the State to the county treasury, where it properly belongs, but would actually lessen the total cost in a very material degree.

I called the attention of your immediate predecessors to the necessity of authorizing boards of supervisors to audit and pay the proper accounts of agents employed, under direction of the county authorities, to execute

requisitions of the Governor for the return of fugitives from justice. A duty so peculiarly belonging to the local police, should not become a charge upon the State treasury; and so long as it thus remains, abuses of a serious character will exist. Experience shows that when compelled to undergo the scrutiny of the supervisors, to whom, generally, the facts of each case are known, improper charges are far less frequent, and journeys to other States, undertaken under pretence of pursuing alleged fugitives, though in some cases for other objects, will be much less likely to be made at the public expense.

The last Legislature passed, at a late period of its session, a bill known as the "Insolvent Bill," from which, on a careful examination, I was compelled to withhold my approval, in consequence of manifest defects, resulting, undoubtedly, from the haste in which it was drawn and urged through the forms of law. The principle on which it was founded, that the honest, but unfortunate debtor, who gives up to his creditor all his property, should be discharged from his obligations, is, I believe, both wise and equitable; but a law which shall carry out this principle should be well matured, should contain properly guarded and stringent provisions against fraud, and should except from its operation trustees, executors, and others acting in a fiduciary capacity. The law of the last session was defective in all these respects.

The Governor is required to certify to the correctness of accounts about which he can know little, and yet his certificate serves to shield them from the scrutiny of the financial officer of the State. These should be placed on the same footing as other claims upon the treasury.

The rights of persons accused of crime are not, it appears to me, now sufficiently protected. To remedy this it has been proposed to create, in the city of New York at least, an office, the incumbent of which shall be charged with the duty of defending those who are unable to provide themselves with counsel. If it is deemed best not to adopt this remedy, it should at least be required that the counsel assigned by the court should have sufficient time and inducement to prepare the defence.

We claim that through the ballot box we obtain the popular verdict on political subjects; that by it we are enabled to make choice of such persons as will most nearly represent the public judgment. To preserve it from fraud or improper influences is, therefore, the highest duty of a State, and efforts have been made, from time to time, to throw around it such protection as experience has shown to be necessary. Among the safeguards is the registry law, which has been of signal value in removing one class of evils. Its success only demonstrates the necessity of a still closer examination, to ascertain if other wise and proper measures may not be adopted to save the priceless gift of suffrage to those only who are justly entitled to exercise it.

Permit me to call your attention to the fact, that the expenses of the Legislature have largely increased within a few years, and that they can be essentially curtailed without detriment to the public interests. I do not believe that either the dispatch of business, nor the convenience of members, requires so large a number of employees.

I do not consider it necessary to repeat at length the views presented by me in former messages in regard to the following subjects, but simply desire to say that reflection and observation have only served to confirm the opinions therein expressed; and I therefore renew, and would respectfully refer to these several recommendations, to wit: That aliens actually residing in this State be authorized to acquire, hold and convey real estate at their pleasure; that females convicted of crimes involving imprisonment

for brief periods, should be sent to the penitentiaries instead of the State prison; that measures be taken to secure from Congress the means for the prompt completion of the defences of the harbor of New York; that the number of railroads in the upper part of the city of New York be increased; that a careful attention be given to the subject of public health, especially in the city of New York, and particularly to providing the necessary scientific sanitary supervision; that it be made the special duty of some officer to enforce the law of April 12, 1853, providing for the care and instruction of idle and truant children; that a revision of the laws applicable to breaches of trust in various forms, and to persons acting in fiduciary capacities, has become necessary; that power should be given to the Governor to suspend for misbehavior, during the recess of the Senate, all officers where removal or suspension is not otherwise provided for; that village charters are filled with minute details which might be comprehended in a general act applicable to all but exceptional cases; that a law be passed requiring the courts to put trustees in possession of those railroads which fail to pay the interest on their mortgage debts, and to require railway companies to maintain their road-beds and bridges in such condition as to insure the safe transportation of passengers over them; that by extending the powers of boards of supervisors, the convenience of the people would be promoted, and the time of legislation saved.

Since the adoption by the city of New York of her present charter, the vast increase of the population, and the multiplied changes which have occurred in the institutions and in the political relations of that city, seem to render it well worthy of your consideration, whether a commissioner should not be appointed whose duty it shall become to prepare, during the present year, and to present for submission to the electors of that city, at the next general election, a new charter; and, if approved by them, then the officers named in such charter to be chosen at the city election in December following. The act should name the commissioners; they should all be residents of the city of New York, and should be selected with especial reference to their fitness for the position, and should be taken from the several political parties.

Our public works, now just reaching their fullest efficiency, constitute but a link in that comprehensive chain which stretches from the eastern seaboard to the western confines of Missouri and Iowa. In view of the expansive nature of our commerce, which now so clearly demands the immense facilities it would afford, we cannot but feel that the time has fully come for completing that system of inter-communication now, in part, so successfully inaugurated; and, to that end, to regard with still greater favor the question of a speedy construction of a continental railway. Thus, while meeting the demands of a business age, we shall more closely and more indissolubly cement the Atlantic and Pacific States. It is not for the authorities of New York to prescribe the particular mode nor route by which the general government may most speedily secure the completion of a work so worthy the genius of our people, and so important to the material interests of the whole country; but so directly are her citizens interested in the enterprise, that we may with propriety express the hope that Congress will take the earliest measures for its accomplishment. If, in providing a line leading from the more northern sections of the Union, Congress should deem it just to adopt a similar degree of favor toward a more southern line connecting the Pacific with the States adjacent to the Gulf of Mexico, I need hardly express the assurance that the people of New York will rejoice in the prosperity which the completion of such a line would inevitably secure to that portion of our common country.

As required by the Federal Constitution, the eighth general census was taken last year. Its results will form the basis of a new apportionment of representation throughout the Union, and consequently a re-arrangement of the congressional districts in this State. I am indebted to the courtesy of the superintendent of the Census office at Washington, for the following statistics, derived from this enumeration, which, although incomplete, enables that officer to state that they will prove substantially correct. The population of the State of New York numbers about three million eight hundred and twenty-seven thousand; the federal or representative population of the several States, about twenty-nine million four hundred and thirty-nine thousand. In every case, these estimates will be changed somewhat by the official figures.

The free population of all the States will number about . . .	27,112,000
Slave population	3,878,000
Population of the Territories, Kansas included	384,856

Or a total population of about	31,374,856
Population, according to census of 1850	23,191,074

Increase in ten years, of about	8,183,782
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The increase of population in this State since 1850, is about 730,000; since 1855, is about 361,000.

The population of Kansas, including Pike's Peak, is about 143,600.

In the absence of detailed official statistics, I can only remark, that, from unofficial sources, it appears the increase of population in this State is confined principally to our commercial centers; and that, notwithstanding the pecuniary crisis of 1857, our industrial resources have largely augmented, as shown by a comparison with the State census of 1855. It is apparent, also, that the agricultural returns indicate a highly prosperous condition.

The year 1860, will occupy an important place in our national history. The events which have distinguished it are not only unusual, but are of a character likely to produce permanent effects upon our commercial and political relations. They have served to show how favorably our policy has impressed even distant empires; how important a relative position we occupy among the great family of nations; and how strong, and, at the same time, how erroneous are the prejudices which have been engendered in some sections of our common country against other sections. First, in point of time, was the Embassy from the Emperor of Japan; and it is a fact of much interest, that this was the first formal Embassy ever sent to any western nation. The singularly exclusive policy of the Japanese, has hitherto prevented that intercourse which the standing of their nation fairly entitled them to. With a population greater than our own, a country everywhere cultivated, a people among whom education is universal, possessing the most substantial elements of wealth, of industry, of adaptability, of refinement, of intelligence, of probity and virtue, whose laws are administered with rigorous impartiality, and who are hospitable and open-hearted, the empire of Japan, from studious unwillingness to open its commerce to the world, has been but little known. From the eagerness with which the Japanese examined our mechanical and other industrial establishments, and the quickness they evinced in appreciating their advantages, the visit will produce some effect upon their own advancement; while, from the evident satisfaction and kindly feeling manifested by them, we cannot doubt that some of the barriers to commerce, which have so long existed, will be removed, and that our country will be largely benefited by the visit of the Embassy.

The visit of the Prince of Wales was signalized by our neighbors, the subjects of Her Britannic Majesty, with every indication of loyalty and enthusiasm. His route, from the moment of his entry to his exit, was one prolonged ovation. Representing in those dominions the regal authority, he was justly entitled to the attention shown him; but on passing into the territory of the United States, he dropped this character, and came among us as Lord Benfrew, and, without pride or ostentation, received the voluntary honors of a nation upon whom he had no other claim than belongs, by international courtesy, to every distinguished foreigner who visits our country. The cordiality, as well as the universality of respect shown him, were the manifestations of our regard for the British nation, and an earnest of our appreciation of the courtesy intended by his visit, enhanced, if possible, by our respect for the present sovereign of that empire, whose womanly virtues have won the esteem of the American people. If there existed anywhere in this country a feeling of unkindness, a relic of the struggles between the two nations, this visit has dispelled it. The ties of friendship have been strengthened between nations of a common kindred and a common language. The citizens of New York, identified, as are their interests, with those of Great Britain and her American possessions by intimate commercial relations and contiguity of territory, should especially regard the visit with favor.

Discontents must sometimes arise, even in a free government, and occasional misunderstandings are incident to every confederacy. The formal proceedings of persons in some of our sister States, with the avowed purpose of dissolving the Federal Union, is, nevertheless, a subject of painful apprehension, and so imminent has the danger been felt to be, that the business affairs of the country have been deranged, and the public mind greatly perplexed.

The complications which environ the question of a speedy adjustment of existing national difficulties, are not the results of any new and unexpected causes, but are the slow growth of a generation. The events of the past year, among which is the significant disruption of the Charleston Convention, in April last, have served to produce a more general conviction, that there exists an active and influential class of politicians at the south, deliberately conspiring to destroy the American Union, and to construct from the ruins a southern confederacy. While many have believed that the frequent manifestations of discontent among our southern brethren, had their origin in real or fancied wrongs on the part of the north, and have been willing to give a sympathetic ear to those complaints, they are not disposed, now that it is more apparent that secession has been contemplated for years, to encourage an attempted destruction of the government upon mere declarations, unsupported by evidence.

But I do not question the sincerity of all who threaten secession; on the contrary, I accept the declarations of many as those of earnest and determined men; and while I have faith that time will essentially modify their views, change their purposes and prevent them from rushing madly to inevitable destruction through the paths of treason and civil war, ordinary prudence dictates that this patriotic commonwealth should not hold a position of apparent indifference, but that we should deliberately consider our relations to the questions of proposed secession, as well as the duties which such an event may force upon us. Believing that this confederacy had its origin and consummation in mutual sacrifices and benefits; that it is based upon a solemn compact, to which the whole people of the United States were parties, and by which all are firmly bound, and that this compact provides for a peaceful redress of fundamental grievances, it is clear, that with-

out a disregard of mutual engagements, no State can voluntarily secede from the Union. A separation of one or more of the States, though called secession, and claimed to be lawful under rights erroneously supposed to have been reserved to the States, can, nevertheless, be practically nothing else than disunion, and disunion, so soon as it shall take its needful form and proportions, must reveal itself in the character of treason, which it will be the high duty of the general government to arrest and punish. The laws of the United States must be executed; the requirements of the Constitution must be obeyed. If the national government is to exist, its power must be adequate to the enforcement of its laws in any of the States of the Union, and under any circumstances. To permit or to acquiesce in a treasonable conspiracy against the national authorities, is to confess that our government is an absolute failure. The people of the State of New York, in my judgment, are not prepared for such an admission; on the contrary, they will give to the federal authorities, in the adoption of all wise, just and necessary measures for the enforcement of the laws, their earnest, faithful and constant support.

Although strenuously opposed to the establishment of the compromise line of 1820, yet, as a settlement of the then existing difficulties, New York, and the north generally, acquiesced; and, for the third of a century, were content to regard as sacred a compact, inuring largely to the advantage of the friends of slave-labor. The ordinance of 1787 had consecrated to free-labor the whole of the northwestern territory, and, in process of time, the rapid stream of emigration had organized it into States. In the meantime, southern society being less expansive, the north, by natural causes, acquired a preponderating influence in the national councils. The territory west of the Mississippi, and north of 36 deg. 30 min. was still unoccupied. Seeking to preserve its political power, and in spite of its plighted faith, the south determined to remove the barrier to the introduction of slavery to this section, and to occupy it.

The facts connected with the abrogation of the Missouri compact, are too recent and too well known to require detail; but from the hour in which the rights of the north were thus invaded, sectional disagreements have been growing wider and more intense, until the fair fabric of the Union is seriously threatened.

Not desiring the adoption of the Missouri line in 1820, and opposing, with almost solid front, the weight of her influence to the repeal in 1854, this State does not ask, nor does she desire the restoration of that line. After full and free discussion, her people have declared against the extension of slavery into any of the territories, and this they regard as a disposition of that question until revoked by the same authority. Ever ready, nevertheless, as she has proved herself heretofore, New York will, in all honorable ways, endeavor to reconcile the estrangements now existing in the country.

A magnanimous and loyal State, in such an exigency, may well forego the question whether assumed grievances are real or only imaginary; but while her action should be marked by patience, calmness, conciliation and fraternal affection, there should be no surrender of important rights, nor sacrifice of vital principles. It is equally clear she should not insist on points of pride, or on mere abstractions.

Though brought forward under misapprehension, one such grievance is alleged against this State. In 1840, conformably to the generally received opinion of that day, the Legislature passed a statute, granting a trial by jury, in the courts of this State, to persons charged as being fugitives from service. Afterwards, the Supreme Court of the United States, in the case

of Prigg against the Commonwealth of Pennsylvania, decided that all State laws, even though subordinate to the federal enactments, and favorable to the extradition of fugitives, were inconsistent with the Constitution of the United States, and therefore void; and so this statute of our State, which granted a trial by jury, became ineffective. It has been universally held to be obsolete by all our commentators, and all our public authorities, though now improperly classed among what are called "personal liberty laws," and made occasion for exciting jealousies and discontents. I therefore recommend its repeal.

In this connection, and while disavowing any disposition to interfere with what exclusively pertains to the individual States, and in a spirit of fraternal kindness, I would respectfully invite all those States which have upon their statute books any laws of this character, conflicting with the federal Constitution, to repeal them at the earliest opportunity; not upon condition that a more equitable fugitive slave law be passed, nor upon any other conditions, but relying for the proper modification of this enactment upon the justice and wisdom of the federal authorities. Let the free States fulfill all the obligations of the federal Constitution and laws, then, with propriety, they may exact like obedience from all the other States.

That the President and Vice-President elect, though constitutionally chosen, were unacceptable to a portion of the south, was the cause first avowed for secession. This ground, however, proving untenable as soon as assumed, the agitators fell back upon other alleged grievances, and renewed their complaints with a view to exasperate and alarm the people of those States with idle and painful fears.

Every one knows or may know that the newly elected President and Vice-President, not only can have no motive nor desire to do any injury to the complaining States, but that they will have no power to exercise for such a purpose.

The Senate of the United States is now controlled by the same political majority which has controlled it for the two last presidential terms; the House of Representatives, already chosen for half the term for which the President and Vice-President are elected, are of the same majority as the Senate; and the Supreme Court is practically the same as it has been for nearly a quarter of a century, and all the constitutional guarantees are in force now as heretofore, against executive usurpations or sectional interferences.

While the question of slavery, throughout all history, has been a subject of debate, the record of the past will show that the people of the free States have remained content with the disposition of the subject made by the Constitution and federal laws, and have refrained from any political agitation of it until attempts were persistently made to extend the institution into the national domain, with a view, as we have seen, to increase the number of the slave-holding States. The alternative was now forced upon the Northern States, either of a ceaseless agitation of the subject of slavery, with a view to its removal even from the slaveholding States themselves; or else of resisting its introduction into the public domain through the intervention of the Federal Government. They chose the latter, and have on all occasions proclaimed, and in the most solemn manner pledged to the slave States, the entire, absolute, and unquestioned control, regulation, management and disposition of slavery within their own borders. This is the position of the free States to-day, as it always has been; and the convictions and sentiments of the whole people, save those of a mere fraction, are in harmony with it.

Angered by private griefs, or at what they have deemed an unjust

fugitive-slave act, a few inconsiderate persons of Northern States have made either actual or seeming aggressions upon the rights of the people of the slave-holding States. This, of course, has been met by the people of the latter, in a temper and spirit hostile and retaliatory, as might have been expected. Vindictive laws have been passed by them, and peaceable and unoffending citizens, of northern birth, have been degraded or banished by southern communities and authorities.

What is especially wanted, both at the North and at the South, is not only a cessation of hostile words and acts, but a complete restoration of all those amicable and fraternal relations, which formerly existed in every portion of the confederacy, and without which the Union ceases to confer its highest advantages.

No apprehension, however, need be entertained, that the people of this law-abiding State would, in any case, suffer their authorities or agents in the State or federal government, to invade or impair any constitutional right or privilege of the slave States; on the contrary, they stand always as ready to guaranty those rights as to defend their own; and I think it would be well for the Legislature to give such new and solemn utterances to these convictions as shall afford to all the people of the southern States, the assurance that all their rights under the Constitution and the laws are recognized, and will, on the part of the people of this State, be respected and maintained inviolate.

I fully believe that if justice and moderation shall mark the conduct of the loyal States, we shall safely pass the present crisis, as we have passed many others, without loss of substantial rights or self-respect; for I am unwilling to admit that there are madmen, either at the north or south, sufficiently formidable in power or in numbers to destroy the union of the States; a Union which has been productive of inestimable good; a Union in which all sections and parts have contributed, in diverse though harmonious modes, to that common result of strength, stability and happiness, manifest to every eye, in every direction, throughout the length and breadth of this extended land.

In view, however, of the momentous questions involved, it becomes the solemn duty of the national Executive to act with promptitude and firmness; the national Legislature, with moderation and conciliation; and the public press throughout the country, with that regard to the rights of all sections and interests, which its vast influence and responsibilities demand.

Every State can do something, and ought to do all that it can to avert the threatened danger. Let New York set the example in this respect. Let her oppose no barrier; but, on the contrary, let her representatives in the Federal Legislature give their ready support to any settlement that shall be just and honorable to all, a settlement due alike to the cherished memories of the past, the mighty interests of the present, and the myriads of the future. Let her stand in an attitude of hostility to none; but extending the hand of fellowship to all, and living up to the strict letter of that great fundamental law, the living and immortal bond of the union of the States, cordially unite with other members of the confederacy, in proclaiming and enforcing the determination that, the Constitution shall be honored, and the union of the States shall be preserved.

EDWIN D. MORGAN.

ALBANY, *January 1, 1861.*

Mr. Fiero offered the following resolution:

Resolved, That the message of the Governor be laid upon the table, and that 400 extra copies be printed.

Mr. Bell moved to amend by striking out the words "four hundred" and inserting in lieu thereof the words "five thousand."

Mr. Truman moved to amend by striking out "five" and inserting "three."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Blood	Fiero	Lawrence	Prosser	Spinola	
Colvin	Grant	McGraw	Richmond	Truman	
Connolly	Ketcham	Manierre	Sessions	Williams	15

FOR THE NEGATIVE.

Abell	Hammond	Montgomery	P. P. Murphy	Rotch	
Bell	Hillhouse	Munroe	Ramsey	Warner	
Goss	Lapham	J. M. Murphy			18

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

By unanimous consent, Mr. Hillhouse offered the following resolution:

Resolved, That so much of the message of his Excellency the Governor, as relates to our national difficulties, be referred to a select committee of five, to be appointed by the President, to report thereon for the consideration of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Spinola offered the following preamble and resolutions:

Whereas, Treason, as defined by the Constitution of the United States, exists in one of the States of this confederacy; and,

Whereas, it is the religious as well as the patriotic duty of each State, in its sovereign capacity, as well as that of each citizen, to make every necessary sacrifice for the preservation of this union of States, as they were united by Washington and his associates; and,

Whereas, the State of New York is now, as she ever has been, and as she ever will be, unalterably and uncompromisingly in favor of the union as it is; therefore,

Resolved, (if the Assembly concur,) That the Governor of the State be, and he is hereby directed, in the name of the people of the State of New York, to tender to the President of the United States, the services of the militia of the State, to be used in such manner and at such times as the President may deem best to preserve the union and to enforce the Constitution and laws of the country.

Resolved, That the committee on military affairs be, and they are hereby directed to inquire into the condition, efficiency and available strength of the military forces of the State; and to report to the Senate at the earliest practicable day, what legislation, if any, is necessary to render that branch of the Government fully effective for any exigency that may arise, and if requisite, that the said committee report a bill to raise ten millions of dollars to properly arm the State.

Mr. P. P. Murphy moved to refer said resolutions to the select committee to be appointed under the resolution of Mr. Hillhouse.

Mr. Truman moved to amend, that the Senate now go into committee of the whole on said resolutions.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Grant	Truman
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FOR THE NEGATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Rotch
Bell	Goss	McGraw	P. P. Murphy	Sessions
Blood	Hammond	Manierre	Prosser	Spinola
Colvin	Hillhouse	Montgomery	Ramsey	Warner
Connolly	Ketcham	Munroe	Richmond	Williams
Ferry				

26

The President then put the question whether the Senate would agree to said motion of Mr. P. P. Murphy, and it was decided in the affirmative.

By unanimous consent, Mr. Colvin offered the following preamble and resolutions:

Whereas, differences exist between the States, composing the United States, in regard to the manner in which persons held to service or labor in one State, under the laws thereof, and escaping into another, should be arrested and delivered up, under the Federal Constitution; and,

Whereas, differences also exist, with respect to the rights of the States in the common Territories of the United States; and,

Whereas, the Constitution of the United States, is, we believe, the most perfect system of government yet devised, for the general welfare of a nation, and no necessity now exists for its amendment; and,

Whereas, the people of New York are faithful to the Constitution, and determined to uphold it, in its integrity;

Therefore, The people of the State of New York, in Senate and Assembly convened, do resolve as follows:

Resolved, That the existing fugitive slave act is unwise, if not unconstitutional, and should be radically changed. The general government should be relieved from responsibility for the rendition of persons held to service or labor in one State, under the laws thereof, and escaping into another, and the duty of delivering up such persons should, upon demand made, be required of the States into which such persons may escape, in the same manner as fugitives from justice are demanded and delivered up; and should the fugitive slave act be so changed, we pledge the State of New York, to the faithful execution of the same.

Resolved, That refusal to comply with such a fugitive slave act would be a violation of a plain Constitutional duty, and subject the State refusing compliance, to the penalties incident to resistance to the Constitution of the United States, and the laws thereof; and such refusal would justify Congress in permitting the States where persons are held to service, under the laws thereof, to lay duties on exports, and duties of tonnage against the States refusing execution of such fugitive slave act; and would also justify Congress in permitting such States to enter into agreements or compacts with each other, for mutual protection, under article 1, section 10, subdivision 2 of the Constitution of the United States.

Resolved, That the Territories of the United States are the common property of the people of the United States, in the same way, and to the same extent, as the several States, which together form the United States, are the common property of the people thereof, under the Federal Constitution; and, that, when citizens of the United States emigrate to such Territories, they do not carry with them the laws or Constitution of the State from which they depart; but upon settlement in said Territories, they subject themselves, and their property, to such general laws as are applicable to, or exist, alike, in all the States, and to such particular laws as the Legislature of the Territory may, from time to time prescribe. That domestic slavery, which does not exist by the laws of all the States, is subject to the action of the Territorial Legislature with respect thereto, in the same way, as the Legislature of the Territory may act generally, upon other domestic relations, such as master and apprentice, or parent and child.

Resolved, That, for a final settlement of the Slavery question in the Territories, now belonging to the United States, or which may be hereafter acquired, the people of the State of New York, do consent and agree, that the people of the Territories shall, in their legislative assemblies, determine for themselves the character of their domestic institutions, including slavery; and that Congress shall not, under any pretence whatever, interfere therein to prohibit it, or establish, oppose or protect the same; and that when the number of the inhabitants of any Territory shall justify admission, such Territory may, under a Constitution formed with or without domestic slavery, as it may determine, be admitted into the Union upon terms of equality with the other States.

Resolved, That the Governor be requested to transmit copies of these resolutions to our Senators and Representatives in Congress, and also to the Governors of the several States, with the request that they may be laid before the Legislatures thereof.

Ordered, That said resolutions be laid on the table.

Mr. Truman presented a petition of citizens of Tioga county, for the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. J. M. Murphy presented a petition of Maria Murphy, praying for the release of certain lands in the city of New York, which was read and referred to the committee on the judiciary.

Mr. Ramsey presented a petition of Wm. M. Evarts, Wm. Curtis Noyes and others, for increase of the judicial force in the city of New York, which was read and referred to the committee on the judiciary.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill for the relief of insolvent debtors, and for the more equal distribution of their effects.

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill to repeal chapter 375 of laws of 1840, entitled "An act more effectually to protect the free citizens of this State from being kidnapped, or reduced to slavery."

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill relative to the provisions of an act entitled "An act to authorize the formation of a turnpike road company in the town of Newtown, Queens county, passed April 16, 1857."

Mr. Grant gave notice that he would at an early day ask leave to introduce a bill to repeal chapter 410 of the Session Laws, passed April 14, 1860, entitled "An act in relation to capital punishment, and to provide for the more certain punishment of murder."

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act in relation to capital punishment, and to provide for the more certain punishment of the crime of murder."

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to amend the 53d section of the Code, increasing the jurisdiction of justices of the peace.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill conferring upon boards of supervisors additional powers of local legislation.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act fixing the fees of justices of the peace, in civil and criminal cases."

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to prohibit cattle from running at large on the highways in the town of Brighton.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill in relation to assessments for improvements in the city of New York, in certain cases.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to promote and encourage the efficiency of officers in the militia, by limiting the term of office therein.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to authorize the construction of a railroad in Seventh avenue, and in certain other streets and avenues of the city of New York, passed April 17, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to confirm a grant or resolution of the common council of the city of New York, authorizing the construction of a railroad in certain streets and avenues in said city, and to authorize the construction of said railroad, passed April 14, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to authorize the construction of a railroad in Fourteenth street, and in other streets and avenues of the city of New York, passed April 17, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to authorize the construction of a railroad in Avenue D, East Broadway, and other streets and avenues of the city of New York, passed April 17, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to authorize the construction of a railroad track on South, West, and certain other streets in the city of New York, passed April 17, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to repeal an act entitled "An act to authorize the construction of a railroad in Tenth avenue, Forty-second street, and certain other avenues and streets of the city of New York, passed April 17, 1860."

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill authorizing the town of Ossining, in the county of Westchester, to raise money by bond.

Mr. Warner gave notice that he would at an early day ask leave to introduce a bill to confirm the acts of notaries public.

Mr. Truman gave notice that he would at an early day ask leave to introduce a bill for the extension of the Chenango canal, from its present termination at Binghamton, to the Pennsylvania line.

Mr. Truman gave notice that he would at an early day ask leave to introduce a bill providing for the setting of posts for rope ferries.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to establish a Nautical school, in the city of New York.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to incorporate the People's Savings bank, in the city of New York.

Mr. Ramsey gave notice that he would at an early day ask leave to introduce a bill in regard to divorces dissolving the marriage contract.

Mr. Lapham gave notice that he would at an early day ask leave to introduce a bill making the office of county clerk, in the county of Clinton, a salaried office.

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill to repeal chapter 516 of Laws of 1860, in regard to West Washington market, and other property, in the city of New York.

Mr. Bell gave notice that he would at an early day ask leave to intro-

duce a bill to amend an act entitled "An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors, passed April 13, 1860."

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill to amend chapter 444 of the Laws of 1860.

Mr. Colvin gave notice that he would at an early day ask leave to introduce a bill declaratory of the right of the jury in the trial of cases for crime.

Mr. Sessions gave notice that he would at an early day ask leave to introduce a bill for the relief of the heirs of Benjamin F. Green.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to authorize Henry Billingham and William C. Rowley to apply to the surrogate of Monroe county for leave to sell the real estate of S. Marvin Hughes, deceased," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Goss, and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	P. P. Murphy	Rotch
Connolly	Hammond	Lawrence	Prosser	Sessions
Fiero	Hillhouse	J. M. Murphy	Ramsey	Warner
Goss	Ketcham			

17

FOR THE NEGATIVE.

Colvin	Manierre	Richmond
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Fiero offered the following resolution:

Resolved, (if the Assembly concur,) That the Senate and Assembly will adjourn, Thursday, the 4th inst., until Monday next at 7 o'clock P. M.

On motion of Mr. Fiero, and by unanimous consent, the rule was suspended, that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Montgomery offered the following resolution:

Resolved, That the Clerk shall not be authorized, under the resolution heretofore adopted, to transmit through the mails at public expense, any document the postage on which shall exceed twenty cents.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Spinola, the Senate adjourned.

THURSDAY, JANUARY 3, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Dyer.

The journal of yesterday was read and approved.

A message was received and read from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK:

EXECUTIVE DEPARTMENT, ALBANY, *January 3, 1861.*

TO THE SENATE—In compliance with the provisions of sec. 5, of article 7 of the Constitution, I herewith communicate each case of reprieve, commutation or pardon granted by me during the past year.

E. D. MORGAN.

Ordered, That said communication be laid on the table and printed.

(See *Doc. No. 4.*)

Mr. Truman presented a petition of citizens of the county of Tioga, for the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. Colvin presented a petition of Squire Whipple, for compensation for private property taken for public use.

Mr. Ramsey moved to lay said petition on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to authorize William Billinghamurst and William C. Rowley to apply to the surrogate of Monroe county for leave to sell the real estate of S. Marvin Hughes, deceased."

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to amend section 4, of chapter 774 of the Session Laws of 1857, entitled "An act in relation to the Coles' or Harlem bridge, at the terminus of the Third avenue, in the city of New York."

Mr. P. P. Murphy gave notice that he would at an early day ask leave to introduce a bill to create the office of commissioner of lunacy and inspector of almshouses, poorhouses, county lunatic receptacles, asylums and jails, throughout the State.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill relative to the powers and duties of the board of supervisors of the county of Westchester.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill for the better protection of steamboat piers, in the city of New York.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill in relation to the duties of the Justice of the Supreme Court of the 1st judicial district of the State of New York.

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill to repeal the act entitled "An act to preserve the public peace and order on the first day of the week, commonly called Sunday, passed April 17, 1860."

In pursuance of previous notice, Mr. Warner asked and obtained leave to introduce a bill entitled "An act to confirm the acts of notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act conferring upon the boards of supervisors of the several counties of this State, additional powers of local legislation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act in relation to capital punishment, and to provide for the more certain punishment of the crime of murder,' passed April 14, 1860," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend the 53d section of the Code of Procedure, entitled 'Of the courts of justices of the peace,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace, in civil and criminal cases, and for other purposes,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to prohibit cattle from running in the highways in the town of Brighton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to incorporate Vassar Female college," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act declaratory of the right of the jury in the trial of cases for crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act in regard to divorces dissolving the marriage contract," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the sale of certain lands belonging to the State, and to empower the corporation of the city of New York to purchase the same,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to provide for the completion of the Chenango canal, by extending the same from its present termination at or near the village of Binghamton, to the North Branch canal, at the State line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

In pursuance of previous notice, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to authorize the erection of posts, with the necessary appendages for rope ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Warner,

Resolved, That the Senate will go into executive session at 12 o'clock, (noon,) on Wednesday of each week, until otherwise ordered.

Mr. Fiero offered the following resolution:

Resolved, That the President of the Senate shall have power to fill all vacancies in officers and pages, except those appropriately appointed by the Clerk.

Mr. Lawrence moved to amend by striking out all after the word "Resolved," and inserting in lieu thereof the words "That one of the pages of the Senate be appointed assistant librarian."

Mr. Warner moved to amend so as to authorize the Clerk to appoint an assistant librarian.

Mr. McGraw moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative:

On motion of Mr. Colvin,

Resolved, That the Clerk of the Senate be, and he is hereby directed to purchase a copy of the last edition of the Revised Statutes, for the use of the President of the Senate.

On motion of Mr. P. P. Murphy,

Resolved, That the Hon. Assembly be respectfully requested to transmit to the Senate the petition and accompanying papers on file in that body of Elisha Smedley.

Mr. Prosser offered the following resolution:

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force last session of the Legislature, be adopted for the government of the two Houses for the present session.

Ordered, That said resolution be laid on the table.

On motion of Mr. Goss, the Senate took a recess for fifteen minutes.

TWELVE O'CLOCK.

The Senate again met.

The Assembly returned the concurrent resolutions in relation to adjournment, with a message informing that they had concurred in the passage of the same, with the following amendment:

Strike out the word "fourth" and insert in lieu thereof the word "third."

Mr. Bell moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that they have concurred in their amendment.

On motion of Mr. Gardiner, the Senate adjourned until Monday evening, at half-past seven o'clock.

MONDAY, JANUARY 7, 1861—7½ O'CLOCK.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Arthur.

The journal of Thursday, was read and approved.

Mr. Truman presented a petition of citizens of Tioga county, in behalf of the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. Munroe presented a petition of Horatio Griswold and 100 others, citizens of the town of Elbridge, in the county of Onondaga, for a bridge over the Erie canal, in said town, which was read and referred to the committee on canals.

Mr. Bell presented a petition of fifty citizens of Lewis county, for the improvement of Beaver river, in said county, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Goss presented the twelfth annual report of the managers of the Western House of Refuge, which was laid on the table and ordered printed.

(See Doc. No. 2.)

Mr. Goss offered the following resolution:

Resolved, That 1,000 extra copies of the twelfth annual report of the managers of the Western House of Refuge, to the Legislature, be printed for the use of the managers.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill relating to the election of trustees of common schools.

Also, a bill relating to the election of inspectors of election.

Also, a bill in relation to fees of jurors and witnesses in justices' courts.

Mr. Ramsey gave notice that he would at an early day ask leave to introduce a bill in relation to the Court of Common Pleas, for the city and county of New York, to the number of judges, their election and term of office.

Also, a bill in relation to the Superior Court of the city of New York, to the number of justices, and their elective term of office.

Also, a bill in relation to the Marine Court of the city of New York, to the number of justices, and their elective term of office.

Also, a bill relative to the attendance of petit jurors at County Courts, and Courts of Sessions.

Mr. Kelly gave notice that he would at an early day ask leave to introduce a bill to amend the charter of the city of New York.

Mr. Hammond gave notice that he would at an early day ask leave to introduce a bill repealing the act giving preference to causes wherein executors and administrators are parties on the calendars of the courts of this State.

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill relative to the New York Produce Exchange company.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to the High Bridge over Croton river, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company, in the town of Newtown, Queens county,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Williams offered the following resolution :

Resolved, (if the Assembly concur,) That we adjourn, *sine die*, on the first day of March next, at 1 o'clock P. M.

Ordered, That said resolution be laid on the table.

On motion of Mr. P. P. Murphy,

Resolved, That the papers in the case of A. S. Delano, be taken from the files of the Senate and referred to the committee on claims.

Mr. Hammond offered the following resolution :

Resolved, That the number of the special committee on so much of the Governor's message as relates to federal relations, be increased to seven.

On motion of Mr. Hammond, said resolution was laid on the table.

Mr. Grant offered the following preamble and resolutions :

Whereas, certain expenses of government have been steadily on the increase for the past few years, until the tax payers of the State are severely burdened by heavy taxation, and are urgently calling upon their representatives for reform ; therefore,

Resolved, That the Senate, at the present session, employ no more officers than is provided for by law.

Resolved, That no extra compensation be paid to any officer of the Senate, for services during this session, above their legal salary.

Resolved, That no allowance will be made by the Senate for clerks of committees, unless they are appointed by resolution of the Senate previous to entering upon their duties.

Mr. Fiero moved to lay said resolutions on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fiero

Warner

2

FOR THE NEGATIVE.

Bell
Colvin
Connolly
Gardiner

Goss
Grant
Kelly
Ketcham

Lawrence
Montgomery
Munroe
J. M. Murphy

P. P. Murphy
Prosser
Ramsey
Richmond

Robertson
Spinola
Truman
Williams

20

Mr. Bell moved to refer said resolution to a committee of three.

The President then put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Connolly,

Resolved, That the Clerk furnish each member, officer, and reporter of the Senate, with twenty copies of the official diagram.

Mr. Munroe offered the following resolution :

Resolved, That 1,000 extra copies of the annual report of the Comptroller, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Truman, the Senate adjourned.

TUESDAY, JANUARY 8, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bishop.

The journal of yesterday was read and approved.

The President announced as the select committee relative to the number and compensation of officers of the Senate, Messrs. Bell, Grant and Hammond.

The President also announced the following standing committees :

	CLAIMS.	
Truman,	P. P. Murphy,	Lawrence.
	FINANCE.	
Hillhouse,	Bell,	Grant.
	JUDICIARY.	
Hammond,	Ramsey,	Colvin.
	CANALS.	
Prosser,	Bell,	Connolly.
	RAILROADS.	
Abell,	Warner,	Richmond.
	CHARITABLE AND RELIGIOUS SOCIETIES.	
McGraw,	Warner,	Grant.
	INTERNAL AFFAIRS OF TOWNS AND COUNTIES.	
Goss,	McGraw,	Spinola.
	STATE PRISONS.	
Ketcham,	Montgomery,	Colvin.
	POOR LAWS.	
Lapham,	Goss,	Kelly.
	ENGROSSED BILLS.	
Warner,	Connolly,	Montgomery.
	INDIAN AFFAIRS.	
Montgomery,	Rotch,	Kelly.
	COMMERCE AND NAVIGATION.	
Robertson,	Truman,	J. M. Murphy.
	AGRICULTURE.	
Rotch,	Abell,	Gardiner.
	LITERATURE.	
Sessions,	McGraw,	J. M. Murphy.
	MILITIA.	
Fiero,	Williams,	Blood.
	ROADS AND BRIDGES.	
Lapham,	Goss,	Kelly.
	GRIEVANCES.	
Prosser,	Fiero,	Blood.
	BANKS.	
Munroe,	Ferry,	Spinola.
	INSURANCE COMPANIES.	
Williams,	Ferry,	Spinola.
	PRIVILEGES AND ELECTIONS.	
Richmond,	Williams,	Connolly.
	MANUFACTURES.	
Bell,	Robertson,	Blood.
	RETRENCHMENT.	
Ketcham,	Williams,	Kelly.
	PUBLIC BUILDINGS.	
Warner,	Rotch,	Connolly.
	ERECTION AND DIVISION OF TOWNS AND COUNTIES.	
Ramsey,	Montgomery,	Blood.
	CITIES AND VILLAGES.	
Manierre,	P. P. Murphy,	Lawrence.

PUBLIC EXPENDITURES.		
Ferry,	Manierre,	Gardiner.
EXPIRING LAWS.		
Lawrence,	Sessions,	Goss.
MEDICAL SOCIETIES.		
P. P. Murphy,	Warner,	Colvin.
PUBLIC PRINTING.		
Richmond,	Montgomery,	Spinola.
MANUFACTURE OF SALT.		
Hillhouse,	Munroe,	Grant.
JOINT LIBRARY.		
J. M. Murphy,	Munroe,	Abell.
SELECT COMMITTEE ON RULES OF THE SENATE.		
Fiero,	Ramsey,	Spinola.

Mr. Manierre presented a petition of Frank W. Ballard and others, of the Metropolitan Temperance League, for a revision of the excise laws, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Truman presented a petition of citizens of the county of Tioga, in behalf of the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and laid on the table.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act declaratory of the right of the jury in the trial of cases for crime," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill to amend chapter 432 of the Laws of 1847, entitled "An act in relation to the fees and compensation of certain public officers of the city and county of New York."

Mr. Ramsey gave notice that he would at an early day ask leave to introduce a bill to reduce the fare upon the New York city railroads, and provide for the better accommodation of the passengers thereon.

Mr. Gardiner gave notice that he would at an early day ask leave to introduce a bill to amend the registry law.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act in relation to documentary evidence, passed March 24, 1857."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to incorporate the Citizens' Savings bank, of the city of New York, passed April 5, 1860."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to incorporate the Artists' Fund society, of the city of New York.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to incorporate the Relief bank, of the city of New York.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act relative to the Rapelyea or Pelham bridge, passed April 5, 1860."

In pursuance of previous notice, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act relating to the Court of Common Pleas, for the city and county of New York, to the number of judges, their elec-

tion and term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act relative to the attendance of petit jurors at county courts and courts of sessions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act in relation to the Department of Finance, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act authorizing the correction of the official bond of William G. Dickinson, treasurer elect of the county of Franklin," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Montgomery, and by unanimous consent, the rules were suspended, and said bill read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	J. M. Murphy	Rotch
Colvin	Grant	Lawrence	P. P. Murphy	Spinola
Connolly	Hammond	Manierre	Proesser	Truman
Fiero	Kelly	Montgomery	Ramsey	Warner
Gardiner	Ketcham	Munroe	Richmond	Williams

25

On motion of Mr. Montgomery, and by unanimous consent, the rule was suspended, and said bill ordered transmitted to the Assembly immediately.

In pursuance of previous notice, Mr. Hammond asked and obtained leave to introduce a bill entitled "An act to repeal chapter 167 of the Session Laws of 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fiero offered the following resolution:

Resolved, That a select committee of three be appointed, to take into consideration the excise laws, and report by bill such amendments thereto as may be deemed necessary.

Mr. Goss moved to lay said resolution on the table.

The President then put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lapham offered the following preamble and resolution:

Whereas, His Excellency, the Governor, recommends the appointment of a committee to examine alleged abuses in the punishment of convicts, and the pecuniary affairs of the State Prisons; therefore,

Resolved, (if the Assembly concur,) That a joint committee of five be appointed for the purpose of examining into said abuses, with power to send for persons and papers, visit the prisons, and report to the Legislature at as early a day as practicable; and that of said committee, two be appointed by the President of the Senate, and three by the Speaker of the House.

Ordered, That said resolution be laid on the table.

On motion of Mr. Rotch,

Resolved, That the select committee to which was referred the petitions for State aid to build the Albany and Susquehanna railroad, at the last session, be continued during the present session.

Mr. Rotch moved to take from the table the papers relating to the claim of Squire Whipple, and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree on taking said papers from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree on referring said papers to the committee on the judiciary, and it was decided in the negative.

Mr. Rotch moved that they be referred to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. J. McLeod Murphy offered the following preamble and resolution:

Whereas, The people of the State of New York are firmly devoted to the union of the States, and do now recognize, as they have hitherto recognized, with unaffected approbation, every effort to enforce the laws of the United States; and,

Whereas, The conduct of Major Robert Anderson, now in command of a fort in the harbor of Charleston, South Carolina, in the protection of the property of the United States, and of the lives of those entrusted to his command, under most trying and discouraging circumstances, is entitled to the approval of the people of this State; therefore, be it

Resolved, (if the Assembly concur,) That a committee of three members from each branch of the Legislature, be appointed by the presiding officers of those bodies, respectively, to procure, and to present on behalf of the people of this State, to Major Robert Anderson, of the United States army, a sword, properly inscribed, as a token of the high appreciation in which his discreet and meritorious services are held.

Ordered, That said resolution be laid on the table.

Mr. Hammond offered the following resolution:

Resolved, That 1,000 extra copies of the report of the Superintendent of the Banking Department, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Spinola,

Resolved, That in view of this being the 46th anniversary of the battle of New Orleans, and in honor of the memory of Andrew Jackson, made glorious by that event, in our country's history, that the Clerk of the Senate, be and he is hereby directed to read the proclamation of Andrew Jackson, President of the United States, in 1832, on the attempted nullification of South Carolina, in 1832, at 12 o'clock this day.

On motion of Mr. P. P. Murphy, and by unanimous consent, the rules were suspended in order that the concurrent resolution of Mr. J. M. Murphy, relating to a sword for Major Robert Anderson, might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	P. P. Murphy	Rotch
Bell	Goss	Lawrence	Prosser	Spinola
Blood	Grant	Manierre	Ramsey	Truman
Colvin	Hammond	Montgomery	Richmond	Warner
Connolly	Kelly	Munroe	Robertson	Williams
Fiero	Ketcham	J. M. Murphy		

28

On motion of Mr. Spinola, and by unanimous consent, the rules were suspended, and said resolution ordered transmitted immediately to the Assembly, with a respectful request that that body give it immediate consideration.

Mr. Hammond moved to take from the table the following resolution :

Resolved, That the number of the special committee, on so much of the Governor's message as relates to federal relations, be increased to seven.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The president announced as the select committee on said subject, Messrs. Hillhouse, Colvin, Spinola, Manierre, Goss, J. M. Murphy and P. P. Murphy.

The hour of 12 o'clock having arrived, the Senate proceeded to the special order, being the reading of the proclamation of Andrew Jackson, President of the United States, in 1832, to the people of South Carolina.

The reading of the proclamation having been concluded,

On motion of Mr. Munroe, the Senate adjourned.

WEDNESDAY, JANUARY 9, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Arthur.

The journal of yesterday was read and approved.

Mr. Munroe presented a petition of Erastus Kimball and others, for an Assistant Board of Canal Appraisers, which was read and referred to the committee on canals.

Also, a petition of Reuben H. Bangs and Seymour Pratt, for relief, which was read and referred to the committee on claims.

Mr. Rotch presented a petition of citizens of Otsego county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Ramsey presented a petition of citizens of Schoharie county, on the same subject, which was read and referred to the select committee.

Mr. Ramsey moved that the petition on the table, relating to the same subject, be taken therefrom and referred to the select committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the 12th annual report of the managers of the Western House of Refuge, reported in favor of the adoption of the following resolution :

Resolved, That 1,000 extra copies of the twelfth annual report of the managers of the Western House of Refuge to the Legislature, be printed for the use of the managers, and 300 copies for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Manierre, from the majority of the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to the Department of Finance, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bell, from the select committee, to which was referred the matter of the number and compensation of the officers of the Senate, reported in writing, and in favor of the adoption of the following resolutions :

Resolved, That the President be authorized to fill any vacancy that may occur from resignation, removal or otherwise, except such as properly

belong to the Clerk, and that the clerks and other officers of the Senate now in commission, be retained for the performance of their respective duties, at such compensations as are now provided by law.

Resolved, That no compensation will be allowed to clerks of committees, unless appointed by resolution of the Senate previous to entering upon their duties.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That said report be laid on the table and printed.

(See Doc. No. 5.)

The Assembly sent for concurrence the following resolution :

Resolved, (if the Senate concur,) That the two Houses of the Legislature will proceed to the election of a Canal Commissioner, in pursuance of law, to supply the vacancy occasioned by the death of Samuel H. Barnes, on Wednesday the 16th inst., at 12 o'clock at noon.

Ordered, That said resolution be laid on the table.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill for the relief of Maria Murphy and Ann Kerrigan, of the city of New York.

Mr. Rotch gave notice that he would at an early day ask leave to introduce a bill to amend and explain an act entitled "An act concerning the rights and liabilities of husband and wife, passed March 20, 1860."

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill for the relief of Josiah Blackwell.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to enable the school of the 4th Ward Mission, of the city of New York, to participate in the distribution of the common school fund.

Also, a bill to repeal the 19th section of an act entitled "An act to establish regulations for the port of New York, passed April 16, 1857."

Also, a bill to incorporate a special board of trustees to hold and manage certain funds for the benefit of the First Methodist Episcopal church, John street, in the city of New York.

Mr. Munroe gave notice that he would at an early day ask leave to introduce a bill for the relief of Reuben H. Bangs and Seymour Pratt.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to amend chapter 432 of the Laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to facilitate the collection of debts against foreign municipal corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to documentary evidence, passed March 24, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act for the relief of the New York State Inebriate asylum, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. P. P. Murphy asked and obtained

leave to introduce a bill entitled "An act to create the office of commissioner of lunacy and inspector of alms houses, poor houses, county lunatic receptacles, asylums and jails, throughout the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the Artists' Fund society, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Williams moved to take from the table the following resolution:

Resolved, (if the Assembly concur,) That we adjourn, *sine die*, on the first day of March next, at 10 o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lapham moved to amend by striking out the word "March" and inserting in lieu thereof the word "February."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Ketcham	Munroe	Truman
Blood	Grant	Lawrence	Richmond	Warner
Fiero	Kelly	Montgomery	Spinola	Williams
Gardiner				

16

FOR THE NEGATIVE.

Bell	Hammond	J. M. Murphy	Prosser	Robertson
Colvin	Lapham	P. P. Murphy	Ramsey	Rotch
Connolly	Manierre			

12

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

On motion of Mr. Lawrence,

Resolved, That the petition and papers of Josiah Blackwell, referred at the last session to the committee on claims, be taken from the files and referred to the same committee of the present session.

Mr. Bell offered the following resolution:

Resolved, (if the Assembly concur,) That a joint committee, consisting of three Senators and five members of the Assembly, be appointed to revise and amend the existing laws in relation to the number and compensation of clerks and other officers employed by the Legislature.

Ordered, That said resolution be laid on the table.

On motion of Mr. Montgomery,

Resolved, That the papers in relation to the claim of M. M. Roberts, be taken from the files and referred to the committee on claims.

By unanimous consent, Mr. Hammond gave notice that he would at an early day ask leave to introduce a bill providing for the arming and equipping the militia of the State of New York.

By unanimous consent, Mr. Lapham presented a petition of the board of supervisors of Clinton county, in relation to the county clerk's office in said county, which was read and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Lawrence, the Senate took a recess until 12 o'clock.

TWELVE O'CLOCK.

The Senate again met, and went into executive session.

After some time spent therein, the doors were opened and legislative business resumed.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment, to wit:

"An act authorizing the correction of the official bond of William G. Dickinson, treasurer elect of the county of Franklin."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Abell, the Senate adjourned.

THURSDAY, JANUARY 10, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bishop.

The journal of yesterday was read and approved.

The President announced the following appointments:

William Gamble, assistant postmaster, Bath; Henry Schoolcraft Williams, President's messenger, Lyons; Charles Vanderlip, post office messenger, Albany; Evert Burhans, sergeant-at-arms' messenger, Albany.

PAGES FOR FIRST HALF OF SESSION—James Dunn, Albany; John M. Carroll, Albany; Louis G. Brown, Albany; Philip Clark, Albany; Oscar McMurry, Lansingburgh.

PAGES FOR LAST HALF OF SESSION—William Leslie, Albany; Christopher Dunn, Albany; Edwin Vanderworker, Fishkill Landing; Frank H. Marvin, Albany; Sylvanus Curran, Albany.

Joseph Garlinghouse, Janitor, Auburn; Nathaniel Goodwin, superintendent Senate chamber, Albany.

The Clerk appointed, as clerk and bank messenger, Charles A. Garlinghouse, of Canandaigua.

Mr. Fiero presented a remonstrance of the officers of the 20th regiment New York State militia, against depriving officers who have served seven years of their commissions, which was read and referred to the committee on militia.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Also, a petition of Wm. Rudell and others, for amendment of the divorce laws, which was read and referred to the committee on the judiciary.

Mr. Williams presented a petition of A. S. Curtis and others, against the destruction of fish in Sodus bay, Wayne county, which was read and referred to the committee on internal affairs of towns and counties.

Mr. P. P. Murphy presented a petition of Horace Pierce, Wm. W. Baker, B. A. Son and Roswell Kelsey, for relief, which was read and referred to the committee on claims.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to prohibit cattle from running in the highways in the town of Brighton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act conferring upon boards of supervisors of the several counties of this State, additional powers of local legislation," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act relative to the provisions of an act entitled 'An act authorizing the formation of a turnpike road company in the town of Newtown, Queens county,' passed April 16, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the Artists' Fund society, of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to incorporate Vassar Female college," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the 18th annual report of the Inspectors of State prisons; also, the 1st annual report in relation to the Asylum for Insane convicts, at Auburn; which were laid on the table and ordered printed.

(See Doc. No. .)

The Assembly sent for concurrence the following resolution:

Resolved, That this House request the Senate to appoint a committee of that body to act as a joint committee on federal relations, and that the committee to be raised by Mr. Robinson's resolution, be a joint committee on the part of this House, if the Senate concur.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Hon. the Senate, requesting it to transmit to this House the papers on its files relating to the claim of Jonas W. Compson for interest upon a canal contract; also, the papers relating to the claim of Lewis Benedict for canal damages.

Ordered, That the Clerk transmit said papers to the Assembly.

Mr. Warner gave notice that he would at an early day ask leave to introduce a bill to legalize and confirm the acts of Gilbert E. Parsons, a notary public of the city and county of Oswego.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to incorporate the Laborers' and Domestics' Savings bank, in the city of New York.

In pursuance of previous notice, Mr. Rotch asked and obtained leave to introduce a bill entitled "An act to amend and explain an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal the 19th section of an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of Maria Murphy

and Ann Kerrigan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate a special board of trustees to hold and manage certain funds for the benefit of the First Methodist Episcopal church, John street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act to incorporate the Panama Fair Ground Co.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

In pursuance of previous notice, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act for the relief of Reuben H. Bangs and Seymour Pratt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

On motion of Mr. Ramsey,

Resolved, That the petitions on file for State aid to the Albany and Susquehanna railroad, be referred to the committee having that matter in charge.

On motion of Mr. Montgomery,

Resolved, That the message of his Excellency the Governor, be now taken from the table and referred as follows:

So much as relates to the canals of the State, and the rates of toll on canals and railroads, to the committee on canals.

So much as relates to the time of paying taxes into the State treasury, to the committee on finance.

So much as relates to State prisons, to the committee on State prisons.

So much as relates to the Onondaga salt springs, to the committee on manufacture of salt.

So much as relates to the Commissioners of Emigration, and a Quarantine hospital in the city of New York; the Board of Commissioners of Pilots and Harbor Masters, to the committee on commerce and navigation.

So much as relates to the militia, the arsenals and armories of the State, to the committee on the militia and public defence.

So much as relates to the Court of Appeals; the courts in the city of New York; the rights and duties of husband and wife; the rights of persons accused of crime and their defence; the propriety of aliens residing in this State holding and conveying real estate; a revision of the laws as to breaches of trust and persons acting in a fiduciary capacity; the propriety of increasing the powers of the Governor to suspend for misbehavior, during the recess of the Senate, all officers whose removal or suspension is not otherwise provided for; together with so much as relates to the punishment of the crime of murder, to the judiciary committee.

So much as relates to our charitable institutions and religious societies, to the committee on charitable and religious societies.

So much as relates to the expenses of the Legislature, to the committee on retrenchment.

Mr. Munroe moved to take from the table the following resolution:

Resolved, (if the Senate concur,) That the two Houses of the Legislature will proceed to the election of a Canal Commissioner, in pursuance of law, to supply the vacancy occasioned by the death of Samuel H. Barnes, on Wednesday the 16th inst., at 12 o'clock at noon.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have passed the same, without amendment.

Mr. Hammond offered the following resolution :

Resolved, That the judiciary committee be allowed a clerk during the present session of the Senate, to be paid \$— per day while employed in the business of his clerkship.

Mr. Colvin moved to amend by filling the blank in said resolution by inserting the words "three dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

Mr. Warner offered the following resolution :

Resolved, That D. E. Wilds, be and he is hereby appointed assistant librarian to the Senate for the ensuing year.

Mr. Truman moved to amend by striking out the name of "D. E. Wilds," and inserting in lieu thereof the name of one of the doorkeepers of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Manierre	J. M. Murphy	Spinola
Connolly	Hillhouse	Montgomery	Rotch	Truman
Fiero	Kelly			

12

FOR THE NEGATIVE.

Blood	Hammond	Lawrence	Prosser	Sessions
Colvin	Ketcham	Munroe	Ramsey	Warner
Gardiner	Lapham	P. P. Murphy	Robertson	Williams
Goss				

16

Mr. Truman moved to amend by striking out the name of D. E. Wilds," and inserting in lieu thereof the words, "that the President and Clerk are hereby authorized."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Hammond,

Resolved, That George W. Scott be appointed as clerk of the judiciary committee.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act declaratory of the right of the jury in the trial of cases for crime."

"An act in relation to the department of finance in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Lawrence from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to; and said bills ordered engrossed for a third reading.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of Schenec-

tady," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

On motion of Mr. Lawrence, the Senate adjourned.

FRIDAY, JANUARY 11, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bates.

The journal of yesterday was read and approved.

Mr. J. M. Murphy presented a petition of Geo. W. Eaton, John J. Foote, H. C. Vogel, Charles Mason, John H. Wooster, Geo. F. Comstock and A. B. James, praying for relief of Madison University, which was read and referred to the committee on literature.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Bell presented a petition of John Pell and fifty other citizens of Jefferson county, for the improvement of the Oswegatchie river, which was read and referred to the committee on the internal affairs of towns and counties.

The President presented a communication from the common council of the city of New York, relating to our federal relations, which was read and referred to the select committee on that subject.

(See Doc. No. 8.)

The President presented a communication from the Bank of America, in accordance with the requirements of the statute, which was read, laid on the table and ordered printed.

(See Doc. No. 6.)

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Hon. the Senate, requesting it to transmit to this House the papers on its files relative to dividing the Eleventh ward in the city of Brooklyn.

Mr. Spinola moved to refer said message to the Senators from Kings county.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Ordered, That the Clerk transmit said papers.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill in relation to the powers and duties of notaries public.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to incorporate the Preachers' Aid Society of the New York and Vermont annual conference of the Methodist Protestant church.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to regulate the sale of fire arms and munitions of war.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to amend article 4th, title 5th, chapter 9th of part 1st of the Revised Statutes, entitled 'Of grants of land under water,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the People's Savings

bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Warner asked and obtained leave to introduce a bill entitled "An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public of the city and county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act declaratory of the right of the jury in the trial of cases for crime."

"An act in relation to the department of finance, in the city of New York."

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act relative to the attendance of petit jurors at county courts and courts of sessions," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the 53d section of the Code of Procedure, entitled 'Of courts of justices of the peace,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act in relation to documentary evidence, passed March 24, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm acts of notaries public and increase their powers," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Comptroller, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Comptroller, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Superintendent of the Banking Department, reported in favor of the adoption of the following resolution:

Resolved, That 500 extra copies of the report of the Superintendent of the Banking Department, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act to authorize the erection of posts with the necessary appendages for rope ferries," reported in favor of

the passage of the same, and said bill was committed to the committee of the whole.

The bill entitled "An act declaratory of the right of the jury in the trial of cases for crime," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Sessions
Bell	Goss	Lapham	Prosser	Spinola
Blood	Grant	McGraw	Ramsey	Truman
Colvin	Hammond	Manierre	Richmond	Warner
Connolly	Hillhouse	Montgomery	Robertson	Williams
Fiero	Kelly	Munroe		

28

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Robertson presented a remonstrance of the board of trustees of the village of Sing Sing, against the passage of the bill to authorize the town of Ossining to borrow money and construct a highway in said town, which was read and referred to the committee on roads and bridges.

Mr. Bell moved to take from the table the following resolution :

Resolved, (if the Assembly concur,) That a joint committee, consisting of three Senators and five members of the Assembly, be appointed to revise and amend the existing laws in relation to the number and compensation of clerks and other officers employed by the Legislature.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

A message from the Assembly was received and read, in the words following, to wit :

Whereas, The insurgent State of South Carolina, after seizing the post-office, custom house, moneys and fortifications of the Federal Government, has by firing into a vessel ordered by the Government to convey troops and provisions to Fort Sumter, virtually declared war ; and,

Whereas, The forts and property of the United States Government in Georgia, Alabama and Louisiana, have been unlawfully seized with hostile intention ; and,

Whereas, Further, Senators in Congress avow and maintain their treasonable acts ; therefore,

Resolved, (if the Senate concur,) That the Legislature of New York, profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic special message of the President of the United States, and that we tender to him through the Chief Magistrate of our own State, whatever aid in men and money he may require to enable him to enforce the laws and uphold the authority of the Federal Government ; and that in defence of the "more perfect union" which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our fathers, we are ready to devote our fortunes, our lives, and our sacred honor in upholding the Union and Constitution.

Resolved, (if the Senate concur,) That the union-loving representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their States from the vortex of secession, are entitled to the gratitude and admiration of the whole people.

Resolved, (if the Senate concur,) That the Governor be respectfully requested to forward, forthwith, copies of the foregoing resolutions to the President of the nation, and to the governors of all the States of the Union.

By unanimous consent, Mr. Goss moved to suspend the rules in order that said resolutions might be considered immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved to amend by inserting at the beginning of said resolutions the following words :

"Whereas, Treason, as defined by the Constitution of the United States, exists in one or more of the States of this Union; and,"

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Kelly	J. M. Murphy	Richmond	
Blood	Grant	McGraw	Prosser	Sessions	
Colvin	Hammond	Manierre	Ramsey	Warner	
Fiero	Hillhouse				17

FOR THE NEGATIVE.

Bell	Gardiner	Lapham	Montgomery	Spinola	
Connolly	Ketcham	Lawrence	Robertson	Truman	10

The President then put the question whether the Senate would agree to adopt said amendment, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Montgomery	Spinola	
Bell	Gardiner	Lawrence	Robertson	Truman	
Blood	Kelly	McGraw	Sessions	Warner	
Connolly	Ketcham				17

FOR THE NEGATIVE.

Colvin	Grant	Hillhouse	J. M. Murphy	Ramsey	
Goss	Hammond	Manierre	-Prosser	Richmond	10

The President then put the question whether the Senate would agree to the adoption of said resolutions as amended, and it was decided in the affirmative, as follows :

FOR THE NEGATIVE.

Abell	Gardiner	Lapham	J. M. Murphy	Sessions	
Bell	Goss	Lawrence	Prosser	Spinola	
Blood	Hammond	McGraw	Ramsey	Truman	
Colvin	Hillhouse	Manierre	Richmond	Warner	
Connolly	Kelly	Montgomery	Robertson	Williams	
Fiero	Ketcham	Munroe			28

FOR THE NEGATIVE.

Grant					1
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Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

Mr. Lapham offered the following resolution :

Resolved, That when the Senate adjourns it adjourn till Monday evening next, at 7½ o'clock,

Mr. Truman moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Manierre	Prosser	Spinola
Colvin	Hillhouse	Montgomery	Ramsey	Truman
Goss	Ketcham	J. M. Murphy	Robertson	Warner
Grant	McGraw			

17

FOR THE NEGATIVE.

Abell	Piero	Kelly	Lawrence	Sessions
Connolly	Gardiner	Lapham	Richmond	

9

On motion of Mr. J. M. Murphy,

Resolved, That his Excellency the Governor, be requested to transmit by telegraph, at the expense of the State, the concurrent resolutions of the Senate and Assembly, tendering the services of the militia of this State to the President of the United States.

The Assembly returned the concurrent resolutions tendering the aid of this State to the Federal Government, with a message that they had concurred in the amendment of the Senate thereto.

Ordered, That the Clerk return said resolutions to the Assembly.

On motion of Mr. Spinola,

Resolved, That the committee on militia and public defence be, and they are hereby directed to inquire into the condition, efficiency, and available strength of the military forces of the State, and to report to the Senate, at the earliest practicable day, what legislation, if any, is necessary to render that branch of the government fully effective for any exigency that may arise, and if requisite, that the said committee report a bill to raise whatever amount of money may be necessary to properly arm the State.

Mr. Connolly offered the following resolution :

Resolved, That when the Senate adjourns on Saturday the 12th instant, they adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

On motion of Mr. Hammond, the Senate adjourned.

SATURDAY, JANUARY 12, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Brown.

The journal of yesterday was read and approved.

Messrs. Goss and Hammond asked and obtained unanimous consent that their names be recorded in the affirmative on the amendment offered by Mr. Spinola to the concurrent resolutions tendering the aid of the State to the Federal Government.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Bell presented a petition of A. W. Whipple, for the passage of an act ceding the jurisdiction of the Sister Islands, in the St. Lawrence river, to the United States, for the site of a light house, which was read and referred to the committee on the judiciary.

Mr. Hammond, from the committee on the judiciary, to which was re-

ferred the bill entitled "An act to amend an act entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary; to which was referred the bill entitled "An act in regard to divorces dissolving the marriage contract," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill relative to the planting of oysters within the waters of this State.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act for the better protection of steamboat piers in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act for the relief of the Susquehanna Seminary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act relating to the duties and powers of notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to the planting of oysters within the waters of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. McGraw,

Resolved, That the papers on file in the Senate relative to the claim of N. H. Osborne, be taken therefrom and referred to the committee on claims.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bill entitled as follows:

"An act to incorporate Vassar Female College."

After some time spent therein, the President resumed the chair, and Mr. Gardiner, from said committee, reported in favor of the passage of the same with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Colvin moved to take from the table the following resolution from the Assembly, to wit:

Resolved, That this House request the Senate to appoint a committee of that body to act as a joint committee on federal relations, and that the committee to be raised by Mr. Robinson's resolution, be a joint committee on the part of this House, if the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved that the Senate concur in the passage of said resolution, and that the select committee of the Senate on federal relations, be such committee on the part of the Senate.

Pending the question on said motion,

Mr. Truman moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Hillhouse	Montgomery	Warner	
Goss	Hammond	McGraw	Truman		9

FOR THE NEGATIVE.

Blood	Gardiner	Ketcham	Ramsey	Sessions	
Colvin	Kelly	J. M. Murphy	Robertson	Spinola	
Fiero					11

Mr. McGraw moved that the question on the motion of Mr. Colvin be indefinitely postponed.

Mr. Warner moved to lay said motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Richmond	Truman	
Goss	McGraw	J. M. Murphy	Sessions	Warner	
Hammond					11

FOR THE NEGATIVE.

Blood	Fiero	Grant	Ketcham	Spinola	
Colvin	Gardiner	Kelly	Ramsey		9

Mr. Ketcham moved that when the Senate adjourns it be to Monday evening at 7½ o'clock.

Mr. Truman moved to amend by striking out the words "evening at 7½" and inserting in lieu thereof the words "fifteen minutes after eleven."

Mr. Bell moved to amend by striking out "fifteen" and inserting the word "thirty."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Hillhouse	Montgomery	Warner	
Goss	Hammond	McGraw	Truman		9

FOR THE NEGATIVE.

Blood	Gardiner	Ketcham	Ramsey	Sessions	
Colvin	Kelly	J. M. Murphy	Robertson	Spinola	
Fiero					11

Mr. Spinola moved to amend by striking out "fifteen minutes after eleven," and inserting the words "at 7 o'clock and 25 minutes."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

By unanimous consent, Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 4, title 5, chapter 9, part 1st of the Revised Statutes, entitled 'Of grants of land under water,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Bell, the Senate adjourned.

MONDAY, JANUARY 14, 1861,

7 O'CLOCK AND 25 MINUTES.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bates.

The journal of Saturday, was read and approved.

Mr. Munroe presented a petition of Anne Worden, Hicks Worden and others, the heirs and widow of Jonathan Worden, for relief, which was read and referred to the committee on claims.

Mr. Ramsey presented a petition of citizens of Summit, Schoharie county, to amend the act creating a road district in said town, which was read and referred to the committee on roads and bridges.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to incorporate Vassar Female College."

A message from the Assembly was received and read, in the words following, to wit :

Resolved, That a respectful message be sent to the Hon. the Senate, requesting that body to transmit to this House the papers on its files relating to the claim of Salmon Butts for canal damages, and that when received said papers be referred to the committee on claims.

Ordered, That said papers be transmitted to the Assembly.

The Assembly returned the bill entitled "An act to authorize William Billinghamurst and William C. Rowley to apply to the surrogate of Monroe county for leave to sell the real estate of S. Marvin Hughes, deceased," with a message informing that they had concurred in the passage of the same without amendment.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Grant gave notice that he would at an early day ask leave to introduce a bill to enlarge the boundaries of the corporation of the village of Monticello.

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill to provide for submitting to a vote of the people of the State of New York, at an early special election, to be held for that purpose, the question of amending the Constitution of the United States, by engrafting thereon the propositions of Senator Crittenden, of Kentucky.

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill for the more perfect organization of the military forces of the State.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

The bill entitled "An act to incorporate Vassar Female College," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Ketcham	Prosser	Sessions
Bell	Grant	Lawrence	Ramsey	Spinola
Colvin	Hammond	Manierre	Richmond	Truman
Fiero	Hillhouse	Montgomery	Robertson	Warner
Gardiner	Kelly	Munroe	Rotch	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hammond offered the following resolution :

Resolved, That 250 extra copies of the report of the Superintendent of the Banking Department, be printed for the use of the Superintendent.

On motion of Mr. Hammond, and by unanimous consent, the rules were suspended and said resolution ordered considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Fiero offered the following resolution :

Resolved, That the President of the Hudson River Railroad company be required to report without delay to the Senate, the amount received at each station upon said road for passengers and freight, from January 1st, 1860, to January 1st, 1861.

Mr. Truman moved to amend so as to make said resolution applicable to all the railroads in the State.

Mr. Ramsey moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Williams offered the following resolution :

Resolved, That the Clerk furnish each member, officer and reporter, with as many copies of the Civil List, as is furnished the members, officers, and reporters of the Assembly.

Mr. Ramsey moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Munroe	Ramsey
Colvin	Hillhouse	McGraw	Prosser	Richmond
Fiero	Kelly	Montgomery		

18

FOR THE NEGATIVE.

Gardiner	Lawrence	Rotch	Spinola	Warner
Grant	Manierre	Sessions	Truman	Williams
Hammond	Robertson			

12

On motion of Mr. Bell,

Whereas, Death has invaded the family circle of the Hon. William H. Ferry, a member of this body, and that it has pleased Him, in whose hands are the issues of life, to call to her eternal rest, a young and lovely daughter ; therefore,

Resolved, That the members of this Senate deeply sympathize with him and his family, in this severe bereavement.

Resolved, That this resolution of condolence be entered upon the journal, and the Clerk be requested to transmit a copy thereof to our afflicted brother.

Mr. Prosser moved to take from the table the following resolution :

Resolved, (if the Assembly concur,) That the joint rules of the Senate and Assembly, which were in force last session of the Legislature, be adopted for the government of the two Houses for the present session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative,

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Colvin moved to take from the table the following resolution, from the Assembly, to wit:

Resolved, That this House request the Senate to appoint a committee of that body to act as a joint committee on federal relations, and that the committee to be raised by Mr. Robinson's resolution, be a joint committee on the part of this House, if the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Grant	Lawrence	Ramsey	Spinola	
Gardiner	Kelly				7

FOR THE NEGATIVE.

Bell	Hillhouse	Montgomery	Robertson	Truman	
Fiero	Ketcham	Munroe	Rotch	Warner	
Goss	McGraw	Prosser	Sessions	Williams	
Hammond	Manierre	Richmond			18

On motion of Mr. Lawrence, the Senate adjourned.

TUESDAY, JANUARY 15, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Brown.

The journal of yesterday was read and approved.

Mr. Truman presented a petition of citizens of Tioga county, for the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That there be a respectful message sent to the Senate, requesting that body to return to this House a resolution requesting a joint committee on federal relations.

The President put the question whether the Senate would agree on taking said resolution from the table, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to encourage rural improvement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

In pursuance of previous notice, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to reduce the fare and provide better accommodations for passengers upon the New York city railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The Senate then resolved itself into a committee of the whole, and pro-

ceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to prohibit cattle from running at large in the highways in the town of Brighton."

"An act conferring upon the boards of supervisors of the several counties of this State, additional powers of local legislation."

"An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company in the town of Newtown, Queens county,' passed April 16, 1857."

After some time spent therein, the President resumed the chair, and Mr. Spinola, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Spinola, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to incorporate the Artists' Fund society, of the city of New York."

"An act to amend the fifty-third section of the Code of Procedure, entitled 'Of courts of justices of the peace.'"

"An act relative to the attendance of petit jurors at county courts and courts of sessions."

After some time spent therein, the President resumed the chair, and Mr. Robertson, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Robertson, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Spinola moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860.

"An act to amend an act in relation to documentary evidence, passed March 24, 1857."

"An act to confirm the acts of notaries public and increase their powers."

After some time spent therein, the President resumed the chair, and Mr. Manierre, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Manierre, from the same committee, reported that they had made sundry amendments to the last named bill, and amended the title so as to read as follows: "An act to confirm the acts of notaries public, and to repeal chapter 360 of Laws of 1859," and in favor of the passage of the same as amended, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Blood, the Senate adjourned.

WEDNESDAY, JANUARY 16, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Ketcham presented a petition of citizens of Poughkeepsie, for the passage of an act making the territory comprised within the boundaries of that city the jail liberties of the county of Dutchess, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Rotch presented a petition of citizens of Otsego county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Robertson presented a petition of Great Western Insurance company, for an amendment of its charter, which was read and referred to the committee on insurance companies.

Mr. Lapham presented resolutions of a public meeting in Johnsburgh, in favor of opening up the forest of Northern New York, which was read and referred to the committee on roads and bridges.

Mr. Truman presented two petitions of inhabitants of Tioga county, for the extension of the Chenango canal, which were read and referred to the committee on canals.

Messrs. Ferry and P. P. Murphy asked and obtained unanimous consent that their names be recorded in the affirmative on the concurrent resolutions from the Assembly, proffering the aid of the State to the Federal Government for the maintenance of the Union.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act in relation to documentary evidence, passed March 24, 1857."

"An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company in the town of Newtown, Queens county,' passed April 16, 1857."

"An act relative to the attendance of petit jurors at county courts and courts of Sessions."

"An act to confirm the acts of notaries public, and repeal chapter 360 of Laws of 1859."

"An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860."

Mr. Hillhouse, from the majority of the select committee to which was referred so much of the Governor's message as relates to our federal relations, reported in writing, and in favor of the adoption of the following resolutions:

Whereas, The Constitution of the United States was ordained by and for the people thereof; and *whereas* it establishes the paramount authority of the government, and provides for the perpetuity of the Union; therefore,

Resolved, That the people of this State, irrespective of party distinctions, do hereby declare that the right of the people of a single State or of

several States, to absolve themselves at will from their solemn obligations to the Federal Union, cannot be acknowledged. The principle and the objects which the general government was formed to secure are repugnant to such, authority and the exercise thereof wheresoever or howsoever attempted, is treasonable, and must be resisted by all the remedies provided in the Constitution. The first duty, therefore, of the citizens of New York is to be directed to the preservation of the Union.

Resolved, (if the Assembly concur,) That the Legislature will sustain the Executive of the State in the offer and pledge of the military power and resources of the State; and that they will "provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," whether within or without the State.

Resolved, (if the Assembly concur,) That the State of New York is faithful to the Federal Union, and will make every needful sacrifice to maintain it in its integrity; at the same time New York will make equal sacrifices to support the several States in all their Constitutional rights.

Resolved, (if the Assembly concur,) That Congress has no power to interfere with slavery in the several States or in any of them.

Resolved, (if the Assembly concur,) That although we believe Congress possesses the power to abolish slavery in the District of Columbia, yet it is inexpedient to exercise such power unless upon the following conditions:

1. That the abolition should be on the vote of a majority of the qualified voters of the District, and with the consent of the State of Maryland.

2. That it should be gradual.

3. That compensation should be made to unwilling owners.

Resolved, (if the Assembly concur,) That Congress should not inhibit or impair the inter-State traffic of persons held to service or labor under the laws of the several States, or any of them.

Resolved, (if the Assembly concur,) That while the rendition of fugitives from service or labor is a plain Constitutional obligation, and should be faithfully observed, the law of 1850 contains provisions which seriously obstruct, if they do not prevent its execution. These should be modified.

The report was laid on the table and ordered printed.

(See Doc. No. 10.)

Mr. Spinola offered the following resolution:

Resolved, That 10,000 extra copies of the report of the select committee, to which was referred so much of the Governor's message as relates to our federal relations, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Ferry presented the 18th annual report of the managers of the State Lunatic Asylum, which was laid on the table and ordered printed.

(See Doc. No. 13.)

Mr. Hammond offered the following resolution:

Resolved, That 3,000 extra copies of the report of the managers of the State Lunatic Asylum, be printed for the use of the Senate, and 4,000 for the use of the managers, of which 1,000 shall be on fine paper.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act in relation to the High Bridge over the Croton river, in the county of Westchester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy gave notice that he would at an early day ask leave

to introduce a bill to amend the act entitled "An act in relation to the City Hall, in the city of New York, passed April 17, 1858."

Mr. Ferry gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to organize the State Lunatic Asylum for Insane convicts."

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the City Hall, in the city of New York,' passed April 17, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Prosser asked and obtained leave to introduce a bill entitled "An act making appropriations for the canal debt and the maintenance of the canals, for the fiscal year commencing on the first day of October, eighteen hundred and sixty-one," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act making the territory comprised within the boundaries of the city of Poughkeepsie, the jail liberties of the county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The bill entitled "An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company in the town of Newtown, Queens county,' passed April 16, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Manierre	Prosser	Sessions
Bell	Hillhouse	Montgomery	Ramsey	Spinola
Colvin	Ketcham	Munroe	Richmond	Truman
Fiero	Lawrence	J. M. Murphy	Robertson	Warner
Goss	McGraw	P. P. Murphy	Rotch	Williams
Grant				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the President announced that in pursuance of law, and a concurrent resolution of the Senate and Assembly, the Senate would proceed to the nomination of a Canal Commissioner, in place of Samuel H. Barnes, deceased ; when each Senator rose in his place and openly nominated, as follows :

FOR BENJAMIN F. BRUCE.

Abell	Hillhouse	Montgomery	Ramsey	Sessions
Bell	Ketcham	Munroe	Richmond	Truman
Fiero	Lapham	P. P. Murphy	Robertson	Warner
Goss	McGraw	Prosser	Rotch	Williams
Hammond	Manierre			

22

FOR WILLIAM W. WRIGHT.

Blood	Connolly	Grant	Lawrence	Spinola
Colvin	Gardiner	Kelly	J. M. Murphy	

9

The President declared that Benjamin F. Bruce, of Lenox, Madison county, having received a majority of all the votes cast, was duly nominated on the part of the Senate, for the office of Canal Commissioner, in place of Samuel H. Barnes, deceased.

On motion of Mr. Munroe,

Resolved, That a committee of two be appointed to wait on the Assembly, and inform that body that the Senate have made a nomination for the office of Canal Commissioner, and are ready to meet the Assembly and compare nominations.

The President appointed Messrs. Munroe and Kelly, as such committee.

The bill entitled "An act relative to the attendance of petit jurors at county courts and courts of sessions," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Connolly	Ketcham	Montgomery	Richmond	
Bell	Goes	Lawrence	J. M. Murphy	Robertson	
Blood	Hammond	McGraw	P. P. Murphy	Rotch	
Colvin	Hillhouse	Manierre	Ramsey	Warner	20

FOR THE NEGATIVE.

Lapham	Prosser	Sessions	Spinola	Williams	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Prosser	Sessions	
Bell	Goes	Lawrence	Ramsey	Truman	
Colvin	Grant	McGraw	Richmond	Warner	
Connolly	Hammond	Montgomery	Robertson	Williams	
Fiero	Hillhouse	P. P. Murphy	Rotch		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Munroe, from the committee appointed to wait upon the Assembly, reported that they had discharged the duty assigned them.

The bill entitled "An act to amend an act in relation to documentary evidence, passed March 24, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Rotch	
Bell	Goes	Lawrence	P. P. Murphy	Sessions	
Blood	Hammond	McGraw	Prosser	Truman	
Colvin	Hillhouse	Manierre	Richmond	Warner	
Connolly	Ketcham	Montgomery	Robertson	Williams	25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Messrs. Fullerton and Jones, a committee from the Assembly, appeared and announced that the Assembly had made a nomination for the office of Canal Commissioner, and were ready to receive the Senate in the Assembly chamber and compare nominations.

The President accordingly left the chair and with the Senate proceeded to the Assembly chamber, and on comparing nominations for a Canal Com-

missioner in place of Samuel H. Barnes, deceased, they were found to agree in the nomination of Benjamin F. Bruce.

Thereupon the President announced and declared Benjamin F. Bruce duly elected a Canal Commissioner, in place of Samuel H. Barnes, deceased.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings as having taken place.

The Senate then went into executive session, and after some time spent therein, the doors were opened, and legislative business resumed.

The third reading of the bill entitled "An act to confirm the acts of notaries public and to repeal chapter 360 of the Laws of 1859," having been announced,

Mr. Warner moved to recommit to the committee on the judiciary, with instructions to strike out all amendments, and report the bill forthwith to the Senate as it was originally reported from said committee, being in the words following, to wit:

"Sec. 1. All acts and duties which may have been performed since the 16th day of April, 1860, in the administration of oaths, acknowledgments and affirmations, by notaries public, which would have been valid if performed by justices of the peace, are hereby confirmed, and shall be deemed as valid and effectual, for all purposes, as if the same had been administered and taken by any justice of the peace.

"§ 2. Notaries public shall have power to administer oaths, take acknowledgements of deeds and other instruments in writing to the like extent as justices of the peace, and the certificate of a notary public of having administered such oath, or taken such acknowledgment, shall be valid in all cases, and to the like extent as if the same were administered or taken by a justice of the peace.

"§ 3. This act shall take effect immediately."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	J. M. Murphy	Rotch	
Colvin	Hillhouse	Manierre	Ramsey	Spinola	
Connolly	Ketcham	Montgomery	Richmond	Warner	
Fiero	Lapham	Munroe	Robertson	Williams	
Gardiner					21

FOR THE NEGATIVE.

Grant	P. P. Murphy	Prosser	Sessions	Truman	
Lawrence					6

The President presented a communication, in the words following, to wit:
To the Hon. the President of the Senate of the State of New York:

The undersigned, a committee appointed for the purpose, respectfully invite yourself, and the members of the Senate, to attend the evening session of the Military Association. There will be an address delivered on the occasion by Wm. A. Jackson, Inspector General.

The session will be held in the Assembly chamber, this evening at 7½ o'clock.

Your acceptance of this invitation and attendance, will afford much pleasure to the Association and to

Yours respectfully,
Brig. Gen. DARIUS ALLEN,
Maj. Gen. J. TAYLOR COOPER,
Major JAMES. L. GILBERT,
Lieutenant G. FRED. WILTSIE,
Captain TURNER,

ALBANY, January 16, 1861.

Committee.

On motion of Mr. Fiero, the invitation was accepted.

Mr. Hammond, from the committee on the judiciary, to which was re-committed the bill entitled "An act to confirm the acts of notaries public and to repeal chapter 360 of the Laws of 1859," reported that they had made the amendments thereto as directed by the Senate, which report was agreed to, and said bill ordered to a third reading.

Mr. McGraw offered the following resolution :

Resolved, (if the Assembly concur,) That the two Houses of the Legislature, proceed on Tuesday the 5th day of February next, at 12 o'clock at noon, to the election of a United States Senator, in place of William H. Seward, whose term of office will expire on the 4th day of March next.

Ordered, That said resolution be laid on the table.

On motion of Mr. Ramsey,

Resolved, That the Clerk of the Senate be requested to furnish each of the pages of the Senate with five dollars' worth of stationery, as at last session.

Mr. Hammond offered the following resolution :

Resolved, That 2,000 additional copies of the Governor's message be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to prohibit cattle from running in the highways in the town of Brighton."

"An act to amend the act entitled 'An act to secure to creditors a just division of the estates of debtors, who convey to assignees for the benefit of creditors,' passed April 13, 1860."

"An act to amend the fifty-third section of the Code of Procedure, entitled 'Of courts of justices of the peace.'"

After some time spent therein, the President resumed the chair, and Mr. Grant, from said committee, reported that the committee had gone through with the first named bill, made sundry amendments thereto, and amended the title so as to read as follows : "An act to prohibit cattle from running in the highways in the town of Brighton, Monroe county, and in the several towns in the counties of Queens, Suffolk and Livingston," and in favor of the passage of the same, as amended, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Grant, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Grant, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly sent for concurrence the following entitled bills :

"An act authorizing the Commissioners for loaning certain moneys of the United States, of Steuben county, to postpone the sale of certain premises lying in Schuyler county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act making an appropriation to redeem State stock issued to the Auburn and Rochester Railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages. .

On motion of Mr. McGraw, the Senate adjourned.

THURSDAY, JANUARY 17, 1861.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Lapham presented a petition of the Warren County Agricultural Society, for relief, which was read and referred to the committee on finance.

Mr. Fiero presented a remonstrance of inhabitants of the town of Ossining, Westchester county, against building the Kill road, in said town, which was read and referred to the committee on roads and bridges.

Mr. Ketcham presented a petition of Wm. Eno and others, for an amendment of the act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess, which was read and referred to the committee on internal affairs of towns and counties.

Also, a remonstrance and protest of a large meeting of inhabitants of the town of Ossining, Westchester county, against building the Kill road, which were read and referred to the committee on roads and bridges.

Mr. Robertson presented three remonstrances of inhabitants of said town, on same subject, which were read and referred to the committee on roads and bridges.

Mr. Rotch presented a petition of citizens of Cooperstown, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Montgomery presented a petition of citizens of Franklin county, for a law authorizing notaries public to administer oaths and take acknowledgments, which was read and referred to the committee on the judiciary.

Mr. Ramsey presented a petition of citizens of Schoharie county, for the passage of an act authorizing the application of highway labor upon the Gilboa and Potter's Hollow turnpike, which was read and referred to the committee on roads and bridges.

Mr. J. M. Murphy presented a petition of the New York Life Insurance company, for an amendment of their charter, which was read and referred to the committee on insurance companies.

Mr. Ketcham, from the committee on State prisons, to which was referred the bill entitled "An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane convicts at Auburn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act to incorporate the Panama Fair Ground company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act to encourage rural improvements," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 432 of the Laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to prohibit cattle from running at large in the highway in the town of Brighton, in the county of Monroe, and in the several towns in the counties of Queens, Suffolk and Livingston."

"An act to amend the 43d section of the Code of Procedure, entitled 'Of courts of justices of the peace.'"

"An act to confirm the acts of notaries public, and increase their powers,"

Mr. Fiero, from the committee on militia and public defence, to which was referred a resolution instructing them to inquire into the condition, efficiency and available strength of the militia forces of the State, reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 11.)

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act making appropriations for the canal debt, and the maintenance of the canals for the fiscal year commencing on the first day of October, eighteen hundred and sixty-one," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the petition of Erastus Kimball and others, in the county of Onondaga, for an assistant board of Canal Appraisers, reported adversely thereto, and in favor of the adoption of the following resolution:

Resolved, That inasmuch as the State has a Board of Canal Appraisers consisting of three members, whose duty it is to appraise all the damages for lands taken, or injuries accruing by reason of the construction or enlargement of the State canals; and that the very large number of claims examined during the past year, indicate an ability and determination of the said board, at no very distant day to examine and make awards in all the remaining cases; therefore, that the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill appropriating \$500,000 to arm and equip the militia of the State.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill in relation to the punishment of crimes, and concerning prisoners confined in the State prisons.

Mr. Grant gave notice that he would at an early day ask leave to introduce a bill to reduce the salaries of the officers and patrolmen of the Metropolitan police force of the city of New York.

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill authorizing the construction of a highway in the towns of Jamaica and Flushing.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act to incorporate the Female Academy of the Sacred Heart, of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to authorize the Commissioners for loaning the

money of the United States, for certain counties, to release the same in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

In pursuance of previous notice, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act making the office of county clerk, in the county of Clinton, a salaried office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Grant asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act repealing an act entitled 'An act for the appointment of commissioners of records for the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act for the relief of Josiah Blackwell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The bill entitled "An act to confirm the acts of notaries public and increase their powers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Rotch	
Blood	Gardiner	Lapham	Ramsey	Warner	
Colvin	Goss	Lawrence	Richmond	Williams	
Connolly	Hammond	Montgomery	Robertson		19

FOR THE NEGATIVE.

Grant	J. M. Murphy	P. P. Murphy	Prosser	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to prohibit cattle from running in the highways in the town of Brighton, Monroe county, and in the several towns of the counties of Queens, Suffolk and Livingston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Lapham	Prosser	Robertson	
Colvin	Goss	Montgomery	Ramsey	Rotch	
Connolly	Hammond	Munroe	Richmond	Spinola	
Fiero	Ketcham	J. M. Murphy			18

FOR THE NEGATIVE.

Grant	P. P. Murphy	Warner	Williams	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the fifty-third section of the Code of Procedure, entitled 'Of courts of justices of the peace,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Rotch
Colvin	Grant	Montgomery	Proesser	Spinola
Connolly	Hammond	Munroe	Richmond	Warner
Fiero	Lapham	J. M. Murphy	Robertson	Williams
Gardiner				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bill entitled as follows:

"An act in relation to the High Bridge over Croton river, in the county of Westchester."

After some time spent therein, the President resumed the chair, and Mr. J. M. Murphy, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Montgomery (for Mr. Lapham,) offered the following resolution:

Resolved, That the papers relating to the application of the Warren County Agricultural Society, for aid, be taken from the files of last year and referred to the committee on agriculture.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bill entitled as follows:

"An act conferring upon the boards of supervisors of the several counties of this State additional powers of local legislation."

After some time spent therein, the President resumed the chair, and Mr. Connolly, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

A message was received and read from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK:

EXECUTIVE DEPARTMENT, ALBANY, *January 17, 1861.*

TO THE SENATE—I have the honor to submit, herewith, a copy of a letter I have received from the President of the United States, acknowledging the receipt of the concurrent resolutions of the Legislature of this State, adopted on the 11th instant.

E. D. MORGAN.

WASHINGTON CITY, *January 14, 1861.*

His Excellency EDWIN D. MORGAN, *Governor of New York:*

SIR—I have had the honor to receive your communication covering the resolutions which have passed the Legislature of New York, on the 11th instant, "tendering aid to the President of the United States in support

of the Constitution and the Union;" and shall give them that respectful consideration to which they are entitled, from the importance of the subject and the distinguished source from which they have emanated.

Yours, very respectfully,
JAMES BUCHANAN.

Mr. J. M. Murphy presented the 74th annual report of the Regents of the University of the State of New York, which was laid on the table and ordered printed.

(See Doc. No. 15.)

Mr. J. M. Murphy offered the following resolution:

Resolved, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying papers, be printed for the Legislature, and 1,500 for the Regents, 500 of which shall be bound.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Spinola presented a petition of John Guion, for compensation for buildings and materials destroyed at Sing Sing Prison, which was read and referred to the committee on State prisons.

By unanimous consent, Mr. Williams presented a remonstrance of inhabitants of the town of Ossining, against building the Sing Sing Kill road, which was read and referred to the committee on roads and bridges.

By unanimous consent, Mr. J. M. Murphy offered the following resolution:

Resolved, That the committee on cities and villages, be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," and that the same be referred to the committee on the judiciary.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented a communication from S. B. Woolworth, Secretary of the Regents of the University, in the words following, to wit:

ALBANY, January 17, 1861.

Hon. ROBERT CAMPBELL, *President of the Senate*:

SIR—I am instructed by the Regents of the University to inform the Legislature of two vacancies in their Board, one of Hon. David Buel, by death, and one of George B. Cheever, D. D., under the statute, for non attendance.

I have the honor to be, very respectfully, your obedient servant,

S. B. WOOLWORTH, *Secretary*.

On motion of Mr. Ketcham, the Senate adjourned.

FRIDAY, JANUARY 18, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Williams presented a petition of inhabitants of Wayne county, for a law prohibiting the taking of fish from the waters of Post bay, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ramsey presented a petition of citizens of Delaware county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Hillhouse, from the committee on finance, to which was referred the Assembly bill entitled "An act authorizing the commissioners for loaning certain moneys of the United States, of Steuben county, to postpone the sale of certain premises in Schuyler county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Fiero, from the select committee on rules, reported back the rules of the last session, and recommended their adoption, which was laid on the table and ordered printed.

(See Doc. No. 12.)

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act in relation to High bridge over Croton river, in the county of Westchester."

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Female Academy of the Sacred Heart, of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill :

"An act to authorize the board of supervisors of Richmond county to borrow thirty-six thousand dollars upon the official bonds of the county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message from the Assembly was received and read, informing that they had concurred in the passage of the following entitled bill, without amendment :

"An act to incorporate Vassar Female College."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. P. P. Murphy gave notice that he would at an early day ask leave to introduce a bill for the relief of Skilman D. Dickerson.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to provide arms and equipments for the militia of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act for the more perfect organization of the military forces of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

In pursuance of previous notice, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to submit certain propositions to amend the Constitution of the United States, to the people of this State," which was read the first time, and by unanimous consent was also read the second time, and laid on the table.

In pursuance of previous notice, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Montgomery, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Regents of the University and accompanying papers, reported in favor of the adoption of the following resolution:

Resolved, That 1,500 extra copies of the annual report of the Regents of the University, with the accompanying papers, be printed for the Legislature, and 1,500 for the Regents; 500 of which shall be bound.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Montgomery, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the managers of the State Lunatic Asylum, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the report of the managers of the State Lunatic Asylum, be printed for the use of the Senate, and 3,000 for the use of the managers, of which 500 shall be on fine paper.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the select committee to which was referred so much of the Governor's message as relates to our federal relations, reported in favor of the adoption of the following resolution:

Resolved, That 4,000 extra copies of the report of the select committee to which was referred so much of the Governor's message as relates to our federal relations, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the Governor's message, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 additional copies of the Governor's message be printed for the use of the Senate.

Mr. Warner moved that said resolution lay on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. J. M. Murphy moved to amend by striking out "1,000" and inserting in lieu thereof "2,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lapham	Montgomery	Ramsey	
Fiero	Hillhouse	McGraw	J. M. Murphy	Robertson	
Goss	Kelly	Manierre	P. P. Murphy		14

FOR THE NEGATIVE.

Blood	Connolly	Grant	Richmond	Williams	
Colvin	Gardiner	Prosser			8

By unanimous consent, Mr. Gardiner asked and obtained leave to introduce a bill entitled "An act to authorize the Brooklyn Central and Jamaica Railroad company, to extend their tracks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The bill entitled "An act in relation to the High bridge over Croton river, in the county of Westchester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Montgomery	Robertson
Blood	Goss	Kelly	P. P. Murphy	Sessions
Colvin	Grant	Lapham	Ramsey	Warner
Connolly	Hammond	McGraw	Richmond	

19

FOR THE NEGATIVE.

Manierre

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act in relation to the department of finance in the city of New York," having been announced,

Mr. J. M. Murphy moved to recommit said bill to the committee on the incorporation of cities and villages, with instructions to amend by inserting the following additional section, and report the same forthwith to the Senate:

"§ . Any bank holding on deposit funds or moneys belonging to the city of New York, shall forthwith pay over and deliver the same to the chamberlain, who may be appointed by the comptroller, under the provisions of this act."

Mr. Ramsey moved to amend so as to recommit to the committee of the whole, and make the consideration of said bill the special order for Tuesday next at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Ketcham	Ramsey	Sessions
Colvin	Grant	Lapham	Richmond	Warner
Fiero	Kelly	Lawrence	Robertson	Williams

15

FOR THE NEGATIVE.

Bell	Hammond	Manierre	J. M. Murphy	Prosser
Connolly	Hillhouse	Montgomery	P. P. Murphy	Spinola
Goss				

11

Mr. Lawrence offered the following resolution:

Resolved, That when the Senate adjourns this day, it adjourn until Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Hillhouse	Manierre	J. M. Murphy	Richmond
Connolly	Lapham	Montgomery	Prosser	Williams
Gardiner				

11

FOR THE NEGATIVE.

Bell	Goss	Kelly	P. P. Murphy	Sessions
Colvin	Grant	Ketcham	Ramsey	Spinola
Fiero	Hammond	Lawrence	Robertson	Warner

15

The President presented a communication from the mayor and common council of the city of New York, relating to national difficulties, which was laid on the table and ordered printed.

(See Doc. No. 8.)

Mr. Spinola moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

"The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act conferring upon the boards of supervisors of the several counties of this State additional powers of local legislation."

"An act to incorporate the Artists' Fund Society, of the city of New York."

"An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn."

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

By unanimous consent, Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Ketcham presented a petition of the mayor and common council of the city of Hudson, in relation to assessments in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Hammond moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Robertson moved that when the Senate adjourn, it be to Monday evening at 7 o'clock and 25 minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Kelly	Manierre	J. M. Murphy	Sessions	
Connolly	Ketcham	Montgomery	Richmond	Spinola	
Gardiner	Lapham	Munroe	Robertson	Williams	
Hillhouse	Lawrence				17

FOR THE NEGATIVE.

Bell	Goss	Hammond	P. P. Murphy	Prosser	
Fiero	Grant				7

On motion of Mr. Lawrence, the Senate adjourned.

MONDAY, JANUARY 21, 1861,

7 O'CLOCK AND 25 MINUTES.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dyer.

The journal of Friday, was read and approved.

Mr. Ketcham presented a petition of the common council of the city of Hudson, for amendment to charter of said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. P. P. Murphy presented a petition of Oliver J. Wilcox, for relief, which was read and referred to the committee on claims.

Mr. Lapham presented a petition of inhabitants of Saratoga and Warren counties, for aid to build the State bridge over the Sacandaga river, which was read and referred to the committee on roads and bridges.

Mr. Fiero presented resolutions of the board of supervisors of the county of Greene, in relation to election and other notices, which were read and referred to the committee on the judiciary.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act making an appropriation to redeem State stocks issued to the Auburn and Rochester Railroad company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Hon. the Senate requesting that body to transmit to this House the papers on their files in relation to the claim of Noone and Fitzgerald, and that when received, said papers be referred to the committee on claims.

Ordered, That the Clerk transmit said papers to the Assembly.

A message from the Assembly was received requesting the concurrence of the Senate to the following entitled bills:

"An act to amend the act in relation to the penitentiary in the county of Onondaga, passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend an act entitled 'An act to establish a recorder's court in the city of Utica, and for other purposes,' passed May 7, 1844," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bell, and by unanimous consent, said bill was made the special order for to-morrow, immediately after reading the journal.

Mr. Williams gave notice that he would at an early day ask leave to introduce a bill to incorporate the Wayne County Savings Bank, at Lyons.

Mr. Ketcham gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Hudson."

Mr. Montgomery gave notice that he would at an early day ask leave to introduce a bill to amend section 1st, article 3d, title 6th, and part 4th of the Revised Statutes, relative to offences punishable by imprisonment in a county jail and by fines.

In pursuance of previous notice, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of Skilman D. Dickerson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to provide for the payment of interest on certain canal drafts and awards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act relative to the presentation and the auditing accounts by the board of supervisors of the county of Monroe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn City Hospital, passed May 8, 1845,' and the act amending the same, passed April 7, 1858," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Hudson to assess the balance of moneys uncollected for the construction of a sewer in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bill entitled as follows:

"An act conferring upon the boards of supervisors of the several counties of this State, additional powers of local legislation."

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Spinola,

Resolved, That the bill entitled "An act to submit certain propositions to amend the Constitution of the United States to the people of this State," be taken from the table and printed.

On motion of Mr. Ketcham, the Senate adjourned.

TUESDAY, JANUARY 22, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Vogel.

The journal of yesterday was read and approved.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act to amend an act entitled 'An act to establish a recorder's court in the city of Utica, and for other purposes,' passed May 7, 1844."

After some time spent therein, the President resumed the chair, and Mr. Ketcham, from said committee, reported in favor of the passage of said bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Bell, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	Munroe	Richmond
Connolly	Hillhouse	McGraw	J. M. Murphy	Robertson
Gardiner	Ketcham	Manierre	P. P. Murphy	Sessions
Goss	Lapham	Montgomery	Prosser	Williams
Grant				

21

On motion of Mr. Bell, and by unanimous consent, the rules were suspended, and said bill ordered returned to the Assembly immediately, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Manierre presented a petition of companies A and G, 12th regiment, for the enactment of a law to limit the term of office in the militia, which was read and referred to the committee on militia and public defence.

Mr. J. M. Murphy presented a petition of company D, 8th regiment, for same object, which was read and referred to the committee on militia and public defence.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Robertson presented four several petitions of inhabitants of the town of Ossining, Westchester county, in favor of the Kill road, which were read and referred to the committee on roads and bridges.

Mr. Manierre presented a petition of Edward P. Cowles and two hundred other members of the New York bar, for an increase of the judicial force of that city, which was read and referred to the committee on the judiciary.

Also, a petition of James Lenox and others, for repeal of an act to alter map or plan of New York, passed April 17, 1860, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act making the office of county clerk of the county of Clinton, a salaried office," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act making the territory comprised within the boundaries of the city of Poughkeepsie, the jail liberties of the county of Dutchess," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend the act in relation to the penitentiary in the county of Onondaga, passed April 10, 1850," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the board of supervisors of Richmond county, to borrow \$36,000 upon the official bonds of the county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the concurrent resolution for the appointment of a joint committee of three Senators and five members of the Assembly, to revise and amend the existing laws in relation to the number and compensation of clerks and other officers employed by the Legislature, with a message informing that they had concurred in the passage of the same, without amendment.

The President appointed as the committee on the part of the Senate to revise and amend existing laws in relation to number and compensation of officers of the Legislature, Messrs. Bell, Goss and Grant.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to punish delinquents attempting to fire the buildings of the Western House of Refuge.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill to amend section 1st, chapter 701 of the Laws of 1851, relative to the improvement of Westchester creek.

Mr. Lawrence gave notice that he would at an early day ask leave to introduce a bill to incorporate the Astoria and New York Steam Ferry company.

In pursuance of previous notice, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to incorporate the Wayne County Savings bank, at Lyons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act in relation to assessments for improvements in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to enable the school of the Fourth Ward Mission, in the city of New York, to participate in the distribution of the common school fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. McGraw moved to take from the table the following resolution :

Resolved, (if the Assembly concur,) That the two Houses of the Legislature proceed, on Tuesday the fifth day of February next, at 12 o'clock at noon, to the election of a United States Senator, in place of William H. Seward, whose term of office will expire on the fourth day of March next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Warner offered the following resolution :

Resolved, That 2,000 extra copies of the annual report of the Commissary General, presented to the Legislature of 1861, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. J. M. Murphy,

Resolved, That the Governor's message be made the special order for Friday next at 12 o'clock.

Mr. Fiero moved to take from the table the following resolution :

Resolved, That a select committee of three be appointed to take into consideration the excise laws, and report by bill such amendments thereto as may be deemed necessary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Munroe offered the following resolution :

Resolved, That 2,000 extra copies of the annual report of the Adjutant

General, presented to the Legislature of 1861, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Warner moved to take from the table the following resolution :

Resolved, That the Clerk furnish each member, officer and reporter, with as many copies of the Civil List, as are furnished the members, officers and reporters of the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Connolly offered the following resolutions :

Resolved, (if the Assembly concur,) That the conservative action of the border slave States, in refusing to sanction the unconstitutional measures of the secession States, merits the grateful acknowledgments of the people of New York.

Resolved, (if the Assembly concur,) That the refusal of Gov. Hicks, of Maryland, to convene the Legislature of that State to promote the objects of the secessionists, excites our profoundest admiration. Our country will acknowledge him a patriot of the highest order—liberty will own him a benefactor—the human race a friend.

Resolved, (if the Assembly concur,) That the Governor of this State, be requested to transmit to Gov. Hicks, a copy of the foregoing resolutions.

On motion of Mr. Ramsey, and by unanimous consent, the rules were suspended in order that said resolutions might be considered immediately.

The President put the question whether the Senate would agree to the adoption of said resolutions, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Munroe	Richmond
Bell	Geas	Lapham	J. M. Murphy	Robertson
Blood	Grant	McGraw	P. P. Murphy	Sessions
Colvin	Hammond	Manierre	Prosser	Spinola
Connolly	Hillhouse	Montgomery	Ramsey	Williams
Fiero	Kelly			

27

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

On motion of Mr. Hammond,

Resolved, That the Clerk furnish to each Senator, officer and reporter, the same number of the Red Books that were furnished at the session of 1860.

A message was received and read from his Excellency the Governor, in the words following, to wit :

ALBANY, January 22, 1861.

TO THE SENATE—I submit, herewith, a copy of the joint resolutions adopted by the General Assembly of Ohio, on the 12th instant, which I had the honor to receive on Saturday, the 19th, from the Governor of that State.

E. D. MORGAN.

Ordered, That said resolutions be laid on the table and printed.

(See Assembly Doc. No. 24.)

The hour of 12 o'clock having arrived, the President announced the special order, being the bill entitled as follows :

"An act in relation to the department of finance in the city of New York."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Spinola moved that said bill be made the special order for Wednesday, immediately after executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Hammond, the Senate adjourned.

WEDNESDAY, JANUARY 23, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dyer.

The journal of yesterday was read and approved.

Mr. Truman presented a petition of citizens of Tioga county, for the extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and referred to the select committee on that subject.

Mr. Fiero presented a petition of citizens of Ulster county, for amendment to charter of Poughkeepsie and New Paltz ferry, which was read and referred to the committee on commerce and navigation.

Mr. Ketcham presented a petition of citizens of Poughkeepsie, on same subject, which was read and referred to the committee on commerce and navigation.

Mr. Abell presented a petition of Horace Hunt and Andrew Kingsley, for relief, which was read and referred to the committee on claims.

Mr. Manierre presented two petitions of members of the 69th and 71st regiments, for limitation of term of office in militia, which was read and referred to the committee on militia and public defence.

Also, a petition of John T. Hildreth, for the passage of an act to restrain the sale of impure milk, which was read and referred to the committee on agriculture.

The President appointed as the select committee, under the resolution of Mr. Fiero to take into consideration the excise laws, and report by bill such amendments as may be deemed necessary, Messrs. Fiero, Manierre and Gardiner.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Commissary General, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Commissary General, presented to the Legislature of 1861, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was re-

ferred the resolution to print extra copies of the annual report of the Adjutant General, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Adjutant General, presented to the Legislature of 1861, be printed for the use of the Senate.

Mr. Fiero, from the committee on militia and public defence, to which was referred the bill entitled "An act to provide arms and equipment for the militia of the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the select committee to which was referred the petitions of citizens of Schoharie, Otsego, Delaware, Chenango and Broome, for State aid to build the Albany and Susquehanna railroad, reported by bill entitled "An act to facilitate the construction of the Albany and Susquehanna railroad," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message was received from the Assembly announcing the appointment of Messrs. May, Farnum, Ferrey, Pierce and Varian, as the committee on the part of that body under the concurrent resolution to revise and amend the existing laws in relation to the number and compensation of clerks and other offices employed by the Legislature.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill enabling the town of Catskill to vote by districts for town officers.

Mr. Munroe gave notice that he would at an early day ask leave to introduce a bill for the regulation and government of the State Asylum for Idiots.

Also, a bill providing for the purchase of additional land adjoining said asylum.

Mr. Ketcham gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act for the more effectual draining of certain swamp and low land in the towns of Pine Plains and Stanford, in the county of Dutchess."

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to provide for the better government of common schools in the city of New York.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend section 1, chapter 701, of the Laws of 1857, relative to the improvement of Westchester creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to divide school district number 2, of the town of Yonkers, into separate districts, and to constitute and define the powers of the board of education in the same district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act to amend section 1st, chapter 1st, article 8d, title 6th and part 4th of the Revised Statutes, relative to offences punishable by imprisonment in a county jail and by fines," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Williams asked and obtained leave to introduce a bill entitled "An act to incorporate the National Exchange Savings Bank, of the city of New York," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend the act passed May 8th, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act relating to the Marine court of the city of New York, to the number of justices, their election and term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act relating to the Superior court of the city of New York, to the number of justices thereof, their election and term of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Citizens' Savings Bank of the city of New York,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Munroe offered the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, be printed for the use of the Senate, and 200 for the committee on the manufacture of salt.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of 12 o'clock having arrived, the Senate would go into executive session.

The Senate then went into executive session, and after some time spent therein, the doors were opened, and legislative business resumed.

The President announced the special order, being the bill entitled as follows:

"An act in relation to the department of finance in the city of New York."

Mr. Goss moved to postpone said special order, until one o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported in favor of the passage of said bill, with amendments.

Mr. Hammond renewed the motion made in committee of the whole, to amend by striking out the amendments made to the second section, in the words following, to wit: Lines 10 and 11, "as well as the present chamberlain, appointed December 24, 1860," and inserting in lieu thereof the words "shall be appointed by the head of said finance department, and," Also, in line 13, after word "appropriated" strike out the words "and qualified, and the said chamberlain shall hereafter be appointed by the head

of the finance department," and insert in lieu thereof the following: "The first appointment of a chamberlain, as aforesaid, shall be made within ten days after this act takes effect, and the chamberlain then in office shall continue in office until the person so appointed shall have taken the oath of office, and given the security required by law, and no longer."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	McGraw	P. P. Murphy	Truman	
Bell	Hammond	Manierre	Spinola	Williams	
Connolly	Hillhouse	Montgomery			13

FOR THE NEGATIVE.

Blood	Kelly	Lawrence	Prosser	Robertson	
Colvin	Ketcham	Munroe	Ramsey	Sessions	
Fiero	Lapham	J. M. Murphy	Richmond	Warner	
Grant					18

When the name of Mr. Goss was called, that gentleman moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

When the name of Mr. Warner was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond renewed the motion made in committee of the whole, to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	McGraw	Munroe	Truman	
Bell	Hammond	Manierre	P. P. Murphy	Williams	
Colvin	Hillhouse	Montgomery	Spinola		14

FOR THE NEGATIVE.

Blood	Grant	Lapham	Prosser	Robertson	
Fiero	Kelly	Lawrence	Ramsey	Sessions	
Gardiner	Ketcham	J. M. Murphy	Richmond	Warner	
					15

When the name of Mr. Goss was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Spinola, the Senate adjourned.

THURSDAY, JANUARY 24, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Easton.

The journal of yesterday was read and approved.

Mr. Truman presented a petition of citizens of Tioga county, for extension of the Chenango canal, which was read and referred to the committee on canals.

Mr. McGraw presented a petition of citizens of Kings county, for the extension of the track of the Brooklyn and Jamaica railroad company through Furman street to Fulton ferry, which was read and referred to the committee on railroads.

Mr. Spinola presented a petition of 350 citizens of Brooklyn, on same subject, which was read and referred to the committee on railroads.

Also, a petition of commissioners for the opening of Paca avenue, in the county of Kings, for an amendment of the opening act, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Lawrence presented a petition of citizens of Suffolk and Kings counties, for extending the track of the Central and Jamaica railroad company through Furman street to the Fulton ferry, which was read and referred to the committee on railroads.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Also, a petition of citizens of Schoharie county, for an amendment of the charter of the Gilboa and Jefferson turnpike company, which was read and referred to the committee on roads and bridges.

Mr. Rotch presented a petition of inhabitants of Otsego county, for State aid to the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Manierre presented two petitions of members of the 69th regiment, for limitation of term of office in militia, which were read and referred to the committee on militia and public defence.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act in relation to the department of finance in the city of New York."

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, reported in favor of the adoption of the following resolution :

Resolved, That 1,000 extra copies of the annual report of the Superintendent of the Onondaga Salt Springs, be printed for the use of the Senate, and 200 for the committee on manufacture of salt.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act to provide for the payment of interest on certain canal drafts, certificates and awards," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from a majority of the committee on canals, to which was referred that portion of the Governor's message relating to tolls upon railroads, reported by bill entitled "An act to levy and collect tolls on property transported upon the New York Central, and the New York and Erie railroad," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the petition of Horatio Griswold and others, of the town of Elbridge, Onondaga county, praying that the State will build a new bridge across the canal near Jordan, where the State never authorized a bridge to be built at its own expense, but where until recently there has been a bridge maintained at the expense of the petitioners, reported adversely thereto, and in favor of the passage of the following resolution, to wit: *Resolved*, That the prayer of the petitioners be denied—which report was agreed to.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That this Legislature will proceed on Tuesday, February 5th, at 12 o'clock at noon, to elect two Regents of the University, in place of George B. Cheever, of New York, and the late David Buel, of Troy, deceased.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Senate, requesting them to deliver to the Clerk of the Assembly the petitions and papers relating to the claim of Gertrude C. Doe, and that the same be referred to the committee on the judiciary. These papers were before the judiciary committee for the first time in 1860, were reported upon favorably, but information asked from the Commissioners of the Land Office, and not received in time for the Senate to act thereon.

Ordered, That the Clerk transmit said papers to the Assembly, if found.

A further message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Hon. the Senate, requesting that body to transmit to this House the papers on its files relating to rebuilding a bridge across Sodus bay, and that when received said papers be referred to the committee on roads and bridges.

Ordered, That the Clerk transmit said papers to the Assembly.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act authorizing the county of Dutchess to purchase a lot of ground for the purpose of erecting a jail thereon, and to give its bond for the purchase money thereof, with interest thereon, payable semi-annually," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to change the name of the town of Union, in Monroe county, to the name of Hamlin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to repeal the act passed January 28, 1860, entitled 'An act in relation to the poor house and paupers in Dutchess county,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county, to appoint an assistant,' passed April 14, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the city of Poughkeepsie to borrow money for the

purchase of a steam fire engine and for other specified purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to enable the electors of the town of Catskill, to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act in relation to the punishment of crimes, and concerning prisoners confined in the State prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act supplementary to an act entitled 'An act to amend an act entitled 'An act in relation to assessments for local improvements in the city of Brooklyn,' passed April 9, 1959,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act in relation to the State Arsenal and lands, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act for the appointment of commissioners to examine and report on the claim of John Gihon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Spinola moved that the committee on State prisons be discharged from the further consideration of the petition and papers relating to the claim of John Gihon, and that the same be referred to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to abolish the office of physician of the Marine Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The third reading of the bill entitled "An act in relation to the department of finance in the city of New York," having been announced,

Mr. Grant moved to recommit said bill to the committee on the incorporation of cities and villages, with instructions to amend by striking out the word "four" in the second section, and inserting in lieu thereof the word "two," and report the same forthwith to the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Blood	Kelly	Lawrence	Ramsey	Rotch	
Fiero	Ketcham	J. M. Murphy	Richmond	Sessions	
Grant	Lapham	Prosser	Robertson	Warner	15

FOR THE NEGATIVE.

Abell	Hammond	Manierre	P. P. Murphy	Truman
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Bell	Hillhouse	Montgomery	Spinola	Williams	12
Connolly	McGraw				

Mr. Manierre, from the committee on the incorporation of cities and villages, reported back said bill, with amendments, as directed by the Senate.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Kelly	J. M. Murphy	Richmond	Rotch	
Fiero	Lapham	Prosser	Robertson	Sessions	
Grant	Lawrence	Ramsey			13

FOR THE NEGATIVE.

Abell	Goss	McGraw	Munroe	Truman	
Bell	Hammond	Manierre	P. P. Murphy	Warner	
Colvin	Hillhouse	Montgomery	Spinola	Williams	
Connolly	Ketcham				17

When the name of Mr. Goss was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Prosser offered the following resolution :

Resolved, That 2,000 extra copies of the annual report of the State Engineer and Surveyor, on the canals, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Ketcham offered the following resolution :

Resolved, That 2,000 extra copies of the report of the State Prison Inspectors, be printed for the use of the Senate, and 500 for the Inspectors.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Fiero offered the following resolution :

Resolved, That twenty-five copies of the annual report of the Superintendent of the Insurance Department, be printed for each Senator, officer and reporter of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to incorporate the Artists' Fund society, of the city of New York."

"An act to authorize the erection of posts, with the necessary appendages, for rope ferries."

"An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn."

After some time spent therein, the President resumed the chair, and Mr. Richmond, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to incorporate the Panama Fair Ground company."

"An act to amend chapter 432 of the Laws of 1847, entitled "An act in

relation to the fees and compensation of certain public officers in the city and county of New York."

"An act making appropriations for the canal debt and the maintenance of the canals, for the fiscal year commencing on the first day of October, eighteen hundred and sixty-one."

After some time spent therein, the President resumed the chair, and Mr. Colvin, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Colvin, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

A message was received and read, from his Excellency the Governor, in the words following, to wit :

THURSDAY, *January 24*, 1861.

TO THE SENATE—I have received from the Governor of Virginia a copy of a preamble and resolutions, adopted by the General Assembly of that State, on the 19th day of January, instant, a copy of which I herewith submit to your consideration.

As will be seen, an invitation has been extended "to all such States, whether slaveholding or non-slaveholding, as are willing to unite with Virginia in an earnest effort to adjust the present unhappy controversies, in the spirit in which the Constitution was originally formed, and consistently with its principles, so as to afford to the people of the slaveholding States adequate guarantees for the security of their rights, to appoint commissioners to meet on the 4th day of February next, in the city of Washington, similar commissioners appointed by Virginia to consider, and if practicable, agree upon some suitable adjustment.

It will also be seen, that with a view to give practical effect to its resolutions, the General Assembly of Virginia has appointed five eminent citizens of that State, as Commissioners on her part.

The great mass of the people of this State, and of the entire north, are actuated by an earnest desire that no honorable effort should be left untried to maintain, by peaceful means, the American Union, as it has existed for almost a century ; and especially to encourage every exertion made toward an adjustment of existing differences by loyal states.

Holding sentiments in full harmony, as I do, with these purposes, and with a view to the consideration of such measures as may eventuate in securing to the citizens of slaveholding and non-slaveholding States, such mutual guarantees as will fully protect the rights of each ; I recommend the appointment of a corresponding number of citizens of this State, in whose character and patriotism the people shall have full confidence, with a view of meeting, in the same spirit which prompted these resolutions, the representatives of Virginia, and of such other States as may be there present, for the consideration of the objects indicated in the resolutions herewith submitted.

And it may not be improper, in the present threatening attitude of national affairs, to respectfully call your attention to the importance of every step taken in connection with our federal relations. Acting both as trustees of the past and guardians of the interests of the future, we should remember that history, holding us to our responsibilities, will record our acts, not with the hand of prejudice or of favor, but with calm impartiality. Let us, therefore, consider with care, our duty in the present emergency, and be ready to perform, fearlessly and conscientiously, the duties which our respective positions have imposed upon us.

E. D. MORGAN.

(See Doc. No. 29.)

The message and resolutions having been read, Mr. Hammond offered the following resolution:

Resolved, (if the Assembly concur,) That the message of his Excellency the Governor, together with the resolutions of the Legislature of the State of Virginia, this day transmitted to the Senate, be referred to a joint select committee of eight, three of whom shall be appointed by the President of the Senate, and five by the Speaker of the Assembly.

On motion of Mr. Hammond, and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Lawrence moved that the Assembly bill entitled "An act to authorize the board of supervisors of Richmond county to borrow thirty-six thousand dollars upon the official bonds of the county," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Bell moved that the Assembly bill entitled "An act authorizing the commissioners for loaning certain moneys of the United States, of Stauben county, to postpone the sale of certain premises lying in Schuyler county," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Spinola, the Senate adjourned.

FRIDAY, JANUARY 25, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Everett.

The journal of yesterday was read and approved.

Mr. Truman presented two petitions of citizens of Tioga county, for the extension of Chenango canal, which were read and referred to the committee on canals.

Mr. McGraw presented a petition of citizens of Chenango county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Ramsey presented a petition of citizens of Delaware county, on same subject, which was read and committed to the committee of the whole.

Mr. Manierre presented a petition of company F, 69th regiment, for limitation of term of office in the militia, which was read and referred to the committee on militia and public defence.

Mr. Prosser presented a petition of citizens of Erie county, for repeal of all unconstitutional laws, which was read and referred to the committee on the judiciary.

Mr. Montgomery presented a petition of Horace Allen and other citizens of St. Lawrence county, for amendments to the law exempting ministers of the gospel from taxation, which was read and referred to the committee on the judiciary.

Mr. Manierre presented a petition of 4th company, 7th regiment, for limitation of term of office in the militia, which was read and referred to the committee on militia and public defence.

Mr. Gardiner presented a petition of 300 citizens of Brooklyn, for the passage of an act to authorize the Brooklyn Central and Jamaica railroad company, to extend their track through Furman street to the Fulton ferry, which was read and referred to the committee on railroads.

Mr. Manierre presented a petition of 5th company, 7th regiment, for limitation of term of office in the militia, which was read and referred to the committee on militia and public defence.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend section 1, chapter 701 of the Laws of 1857, relative to the improvement of Westchester creek," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorize the city of Poughkeepsie to borrow money for the purchase of a steam fire engine, and for other specified purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act to provide for the extension of the Chenango canal, from its present termination at or near the village of Binghamton to the North Branch canal, at the State line," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the erection of posts, with the necessary appendages, for rope ferries."

"An act to incorporate the Panama Fair Ground company."

"An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn."

"An act to incorporate the Artists' Fund society, of the city of New York."

"An act to amend chapter 432 of the Laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York.'"

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal the act passed January 28, 1860, entitled 'An act in relation to the poor house and paupers in Dutchess county,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the county of Dutchess to purchase a lot of ground for the purpose of erecting a jail thereon, and to give its bond for the purchase thereof, with interest thereon, payable semi-annually," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act to repeal part of an act passed April 15, 1858, entitled 'An act to amend an act to establish regulations for the port of New York,' passed April 16, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the select committee to which was referred the petitions asking for State aid to build the Albany and Susquehanna railroad, reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 17.)

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act repealing an act entitled 'An act for the appointment of commissioners of records for the city of New York,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to divide school district No. 2, of the town of Yonkers into separate districts, and to constitute and define the powers of the board of education in the new district," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey gave notice that he would at an early day ask leave to introduce a bill to abolish the office of city judge of the city and county of New York.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill to amend chapter 261, entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes, passed April 4, 1849."

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill in relation to divorce from the bonds of matrimony.

Mr. Bell gave notice that he would at an early day ask leave to introduce a bill to authorize the supervisors of Jefferson county to raise money and make appropriations for the use of the Watertown Home for Destitute, Friendless and Orphan Children.

In pursuance of previous notice, Mr. Hammond asked and obtained leave to introduce a bill entitled "An act for the relief of the Hammondsport and Pleasant Valley wine company, Urbana, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to incorporate the village of Jordan, passed May 2, 1835,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess, passed April 14, 1859,' and of the amendment of said act, passed April 12, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to incorporate the Flushing Fair Ground com-

pany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the society entitled 'The Superannuated Preachers' Aid Society of the New York and Vermont Annual Conference of the Methodist Protestant Church,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad track on South, West and certain other streets in the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled "An act to incorporate the Artists' Fund society, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	J. M. Murphy	Rotch
Blood	Goss	Manierre	P. P. Murphy	Sessions
Colvin	Hillhouse	Montgomery	Ramsey	Truman
Connolly	Ketcham	Munroe	Robertson	Williams
Fiero	Lapham			

22

FOR THE NEGATIVE.

Grant	Warner
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend chapter 432 of the Laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Sessions
Bell	Goss	Lapham	P. P. Murphy	Spinola
Colvin	Grant	Lawrence	Prosser	Truman
Connolly	Hammond	Montgomery	Ramsey	Warner
Fiero	Hillhouse	Munroe	Robertson	Williams

25

FOR THE NEGATIVE.

Blood	McGraw	Manierre
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the erection of posts, with the necessary appendages, for rope ferries," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	P. P. Murphy	Sessions
Bell	Grant	McGraw	Prosser	Spinola
Colvin	Hammond	Manierre	Ramsey	Truman
Connolly	Hillhouse	Montgomery	Robertson	Warner

Fiero	Ketcham	Munroe	Rotch	Williams	27
Gardiner	Lapham				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Sessions	
Colvin	Hammond	McGraw	Prosser	Spinola	
Connolly	Hillhouse	Manierre	Ramsey	Truman	
Fiero	Ketcham	Montgomery	Robertson	Warner	
Gardiner	Lapham	Munroe	Rotch		24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to incorporate the Panama Fair Ground company," having been announced,

On motion of Mr. Hammond, and by unanimous consent, said bill was amended by striking out the words "running" and "purses or," in the 8th section. Also, in section 7, strike out the word "not." Also, insert in section 1, the words "in the county of Chautauqua."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	P. P. Murphy	Rotch	
Blood	Grant	Lawrence	Prosser	Sessions	
Colvin	Hammond	Manierre	Ramsey	Spinola	
Connolly	Hillhouse	Montgomery	Richmond	Truman	
Fiero	Ketcham	J. M. Murphy	Robertson	Williams	
Gardiner					26

FOR THE NEGATIVE.

McGraw	Warner	2
--------	--------	---

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Rotch, from the select committee to which was referred at the last session a resolution to "examine into the condition, affairs and progress of the New York Central Park," with power to sit during the recess and send for persons and papers, reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 18.)

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

After debate, on motion of Mr. Fiero, the further consideration of said special order, was postponed until Friday next at 12 o'clock.

Mr. Truman moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

By unanimous consent, Mr. Spinola presented a petition of William C. Langley and others, for the organization of a fire company in the town of

New Utrecht, Kings county, which was read and referred to the committee on internal affairs of towns and counties.

By unanimous consent. Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to incorporate the Bay Ridge fire company, in Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. McGraw moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Richmond	Warner	
Colvin	Hillhouse	Montgomery	Rotch	Williams	
Goss	Ketcham	P. P. Murphy	Truman		14

FOR THE NEGATIVE.

Connolly	Grant	Manierre	Prosser	Robertson	
Fiero	Lapham	J. M. Murphy	Ramsey	Spinola	
Gardiner	Lawrence				12

The President declared the Senate adjourned until to-morrow at 11 o'clock.

SATURDAY, JANUARY 26, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Farr.

The journal of yesterday was read and approved.

By unanimous consent, Mr. Abell asked and obtained leave to offer the following resolution :

Resolved, That the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act making an appropriation to redeem State stock issued to the Auburn and Rochester railroad company," and that the same be recommitted to the committee on railroads, to report complete.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Fiero asked and obtained leave to offer the following resolutions :

Whereas, The fell destroyer, death, has invaded the family circle of the Hon. James A. Bell, Senator of the 18th district, in calling home from this transient life to an everlasting existence, a beloved son, in his early manhood ; therefore,

Resolved, That this Senate deeply sympathize with, and offer to our afflicted associate, our condolence in this his sad bereavement.

Resolved, That a copy of the foregoing preamble and resolution be forwarded by the Clerk to the Hon. James A. Bell ; also that the same be entered upon the Senate journal.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

The President presented a protest from the New York State Military Association, against the passage of the act to limit the tenure of office in the militia, which was laid on the table and ordered printed.

(See Doc. No. 19.)

By unanimous consent, Mr. Truman asked and obtained leave to offer the following resolution :

Resolved, That when the Senate adjourns, it be to half-past 7 o'clock on Monday evening.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

On motion of Mr. Truman, the Senate adjourned.

MONDAY, JANUARY 28, 1861,

HALF-PAST 7 O'CLOCK.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Everett.

The journal of Saturday, was read and approved.

Messrs. Ketcham and Robertson presented seven petitions of citizens engaged in the milk business on the Harlem railroad, for reduction of milk tariff on said road, which were read and referred to the committee on railroads.

Mr. Robertson presented a remonstrance against the Kill road bridge, from the road commissioners of the town of Ossining, which was read and referred to the committee on roads and bridges.

Mr. Truman presented a petition of citizens of Broome county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Ramsey presented a petition of citizens of Schoharie county, on same subject, which was read and committed to the committee of the whole.

Mr. McGraw presented a petition of supervisors of the county of Cortland, for an amendment to the act organizing the State Lunatic Asylum, which was read and referred to the committee on charitable and religious societies.

Mr. Fiero presented a memorial of 300 citizens of Brooklyn, asking for the extension of the Brooklyn and Jamaica railroad company's track through Furman street to Fulton ferry, which was read and referred to the committee on railroads.

Mr. Abell, from the committee on railroads, to which was recommitted the Assembly bill entitled "An act making an appropriation to redeem State stock issued to the Auburn and Rochester railroad company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received requesting the concurrence of the Senate to the following entitled bills :

"An act to incorporate the Columbia Agricultural and Horticultural Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend an act entitled 'An act to legalize the State and county taxes in the county of Rensselaer for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' passed April 10, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The Assembly returned the concurrent resolution that the joint rules of the Senate and Assembly, which were in force at the last session of the Legislature, be adopted for the government of the two Houses for the present session, with a message that they had concurred in the passage of the same, without amendment.

(See Doc. No. 16.)

A message from the Assembly was received and read, in the words following, to wit:

Whereas, It is known that the President elect will leave Springfield in a few days for Washington; and whereas, his journey to the national capital should be marked by such manifestations of popular respect as are due as well to him as to the high office he is about to assume; and whereas, the loyal people of the State of New York will cordially welcome him at every point, and assure him of their devotion to the Constitution and laws of the country; therefore,

Resolved, (if the Senate concur,) That his Excellency the Governor, be requested to respectfully invite Mr. Lincoln to pass through this State on his way to the Federal Capital, and to tender him the hospitalities of the authorities and the people.

Ordered, That said resolution be laid on the table.

The Assembly returned the concurrent resolution for the appointment of a joint committee of eight, to which shall be referred the message of his Excellency the Governor, together with the resolutions of the Legislature of the State of Virginia, with a message that they had concurred in the passage of the same, without amendment.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the board of supervisors of the county of Westchester to purchase the Rapelyea or Pelham bridge,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Prosser asked and obtained leave to introduce a bill entitled "An act in relation to county treasurers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Prosser asked and obtained leave to introduce a bill entitled "An act concerning the navigation of the canals, and the collection of tolls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. McGraw called for the consideration of the following resolution:

Resolved, (if the Senate concur,) That this Legislature will proceed on Tuesday, February 5th, at 12 o'clock at noon, to elect two Regents of the University, in place of George B. Cheever, of New York, and the late David Buel, of Troy, deceased.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act conferring upon the boards of supervisors of the several counties of this State, additional powers of Legislation."

"An act to amend article 4th, title 5th, chapter 9th, of part 1st of the Revised Statutes, entitled 'Of grants of land under water.'"

Assembly bill, "An act authorizing the commissioners for loaning certain moneys of the United States, of Steuben county, to postpone the sale of certain premises lying in Schuyler county."

After some time spent therein, the President resumed the chair, and Mr. Lapham, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Lapham, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Hillhouse, and by unanimous consent, the rules were suspended, and said last named bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Hillhouse	McGraw	Prosser	Rotch
Fiero	Kelly	Montgomery	Ramsey	Sessious
Gardiner	Ketcham	Munroe	Richmond	Truman
Goss	Lapham	P. P. Murphy	Robertson	Varner
Hammond				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. P. P. Murphy offered the following resolution :

Resolved, That the Attorney General be respectfully requested to give an official opinion in relation to the liability of the State to Squire Whipple, for the use of his patent iron truss bridge, in the bridges of that kind, constructed by John Hutchinson, under his contract with the State.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Fiero moved that the bill entitled "An act to provide arms and equipments for the militia of the State," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Rotch offered the following resolution :

Resolved, That fifteen extra copies of the report of the select committee appointed to examine into the condition, affairs and progress of the New York Central Park, be printed for each member, officer and reporter of the Legislature, of which five for each shall be bound ; and that 300 copies shall be printed for the members of said committee.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Ramsey moved to reconsider the vote on the bill entitled "An act in relation to the department of finance in the city of New York," and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hillhouse	Lapham	Ramsey	Rotch	
Fiero	Kelly	Munroe	Richmond	Sessions	
Gardiner	Ketcham	Prosser	Robertson	Warner	15

FOR THE NEGATIVE.

Colvin	Hammond	Montgomery	P. P. Murphy	Truman	
Goss	McGraw				7

Mr. Hammond moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Blood moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hillhouse	Lapham	Prosser	Robertson	
Gardiner	Kelly	McGraw	Richmond	Sessions	10

FOR THE NEGATIVE.

Colvin	Hammond	Munroe	Ramsey	Truman	
Fiero	Ketcham	P. P. Murphy	Rotch	Warner	
Goss	Montgomery				12

By unanimous consent, Mr. Goss moved that the bill entitled "An act conferring upon the board of supervisors of the several counties of this State additional powers of local legislation," be reprinted, with the amendments made thereto in committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Gardiner, the Senate adjourned.

TUESDAY, JANUARY 29, 1861.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Farr.

The journal of yesterday was read and approved.

The President appointed as the select committee on the part of the Senate, to whom shall be referred the message of his Excellency the Governor, and the resolutions from the State of Virginia, Messrs. Hillhouse, J. M. Murphy and Abell.

Mr. Manierre presented a petition of Richard Busted, and fifty other members of the New York bar, for an increase of the judicial force of said city, which was read and referred to the committee on the judiciary.

Mr. Blood presented a petition of citizens of Saratoga county, for a charter for a Horse Show association, which was read and referred to the committee on agriculture.

Mr. Gardiner presented a petition of 375 citizens of Brooklyn, for the passage of an act to authorize the Brooklyn Central and Jamaica railroad company, to extend their track through Furman street to the Fulton ferry, which was read and referred to the committee on railroads.

Mr. Robertson presented a petition of J. P. Hoyt and others, for the drawing of seines in Byram lake, in the town of North Castle, in the county

of Westchester, which was read and referred to the committee on the internal affairs of towns and counties.

Mr. Ramsey presented a petition of members of the legal profession and others, of Schoharie county, for an act authorizing the printing of the Law Calendars for said county, which was read and referred to the committee on the judiciary.

Also, a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Rotch presented a petition of inhabitants of Otsego county, for State aid to the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Lawrence presented a petition of inhabitants of the town of Westfield, Richmond county, for redress of grievances caused by the landing of large numbers of disorderly persons from steamers, which was read and referred to the committee on grievances.

Mr. J. M. Murphy presented a petition of company L, 69th regiment, for limitation of term of office in the militia, which was read and referred to the committee on militia and public defence.

Mr. Manierro presented a petition of company F, 7th regiment, on same subject, which was read and referred to the committee on militia and public defence.

Mr. Connolly presented a petition of citizens of New York, on same subject, which was read and referred to the committee on militia and public defence.

Mr. Truman presented a petition of citizens of Tioga county, for extension of the Chenango canal, which was read and committed to the committee of the whole.

Mr. Robertson presented a petition of the Farmers' Club of the town of Bedford, Westchester county, for reduction of milk tariff on Harlem railroad, which was read and referred to the committee on railroads.

Mr. Spinola presented a petition of citizens of Brooklyn, for extension of track of Brooklyn Central and Jamaica railroad company through Furman street to Fulton ferry, which was read and referred to the committee on railroads.

Mr. Hammond presented a petition of Lyman Gibson, for relief, in relation to the repairs of locks on the Chemung canal, which was read and referred to the committee on canals.

Mr. Truman, from the committee on claims, to which was referred the petition of Horace Hunt and Andrew Kingsley for relief, reported by bill entitled "An act to authorize the payment of interest on certain canal drafts protested for non-payment," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Montgomery, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the State Engineer and Surveyor, reported in favor of the adoption of the following resolution :

Resolved, That 1,500 extra copies of the annual report of the State Engineer and Surveyor, on the canals, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Montgomery, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the State

Prison Inspectors, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the State Prison Inspectors, be printed for the use of the Senate, and 300 for the Inspectors.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to change the name of the town of Union, in Monroe county, to the name of Hamlin," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to legalize the State and county taxes in the county of Rensselaer, for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' passed April 10, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act for the relief of the Hammondsport and Pleasant Valley Wine company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to incorporate the Columbia Agricultural and Horticultural Association," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act concerning the navigation of the canals, and the collection of tolls," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the select committee consisting of Messrs. J. M. Murphy, Rotch and Munroe, to which was referred the condition, affairs and progress of the New York Central Park, reported by bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park, in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

A message from the Assembly was received and read, informing that they had concurred in the passage of the following entitled bill, without amendment:

"An act relative to the attendance of petit jurors at county courts and courts of sessions."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend chapter 606 of the Laws of 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the Mazeppa Fire Engine company, No. 2, of Nyack, Orangetown, Rockland county, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to extend the charter of the New York Mills' Fire company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hammond, and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	Montgomery	Ramsey	Sessions
Connolly	Hillhouse	Munroe	Richmond	Spinola
Fiero	Lapham	J. M. Murphy	Robertson	Truman
Gardiner	McGraw	P. P. Murphy	Rotch	Williams
Goss	Manierre	Prosser		

23

On motion of Mr. Hammond, and by unanimous consent, the rules were suspended, in order that said bill might be returned to the Assembly immediately.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That twenty-five copies of the annual report of the Superintendent of the Insurance Department, be printed for each member, officer and reporter of the Assembly and Senate, and 2,000 copies on fine paper for the use of the Superintendent, and that the same be bound.

Ordered, That said resolution be laid on the table.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill relating to the public health of the Metropolitan police district.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill in relation to Quarantine, and the removal thereof.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Gilboa and Jefferson turnpike road company,' passed March 28, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to facilitate the transaction of business at the several courts of record to be held in and for the county of Schoharie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the Veterans of the National Guard, 7th regiment, 1st division, New York State militia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act supplementary to the charter of the New York

and Flushing railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe,' passed April 12, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

The Assembly bill entitled "An act making an appropriation to redeem State stock issued to the Auburn and Rochester railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	Manierre	Prosser	Sessions
Blood	Hillhouse	Montgomery	Ramsey	Truman
Connolly	Ketcham	Munroe	Richmond	Warner
Fiero	Lapham	J. M. Murphy	Rotch	Williams
Gardiner	McGraw	P. P. Murphy		

28

FOR THE NEGATIVE.

Spinola 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. P. P. Murphy,

Resolved, That Henry Stines be appointed clerk of the committee of cities and villages, of the Senate.

Mr. Sessions offered the following resolution:

Resolved, That Henry Loomis is hereby appointed clerk of the committee on literature.

Mr. Truman moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Montgomery	Richmond	Rotch	Warner
Gardiner				

6

FOR THE NEGATIVE.

Fiero	Ketcham	Manierre	J. M. Murphy	Sessions
Hammond	Lapham	Munroe	Prosser	Spinola
Hillhouse	Lawrence			

12

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Ketcham called for the consideration of the following concurrent resolution, from the Assembly, to wit:

Whereas, It is known that the President elect will leave Springfield in a few days for Washington; and whereas, his journey to the national capital should be marked by such manifestations of popular respect as are due as well to him as to the high office he is about to assume; and whereas, the

loyal people of the State of New York will cordially welcome him at every point, and assure him of their devotion to the Constitution and laws of the country ; therefore,

Resolved, (if the Senate concur,) That his Excellency the Governor, be requested to respectfully invite Mr. Lincoln to pass through this State on his way to the Federal Capital, and to tender him the hospitalities of the authorities and the people.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	McGraw	P. P. Murphy	Spinola
Blood	Hammond	Manierre	Prosser	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Fiero	Ketcham	Munroe	Rotch	Williams
Gardiner	Lapham	J. M. Murphy	Sessions	

24

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act to authorize the board of supervisors of Richmond county to borrow thirty-six thousand dollars upon the official bonds of the county."

"An act making appropriations for the canal debt and the maintenance of the canals, for the fiscal year commencing on the first day of October, eighteen hundred and sixty-one."

"An act to incorporate the Female Academy of the Sacred Heart, of Albany."

After some time spent therein, the President resumed the chair, and Mr. Blood, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike."

"An act to amend article 4th, title 5th, chapter 9th, of part 1st of the Revised Statutes, entitled 'Of grants of land under water.'"

"An act making the office of county clerk, in the county of Clinton, a salaried office."

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Montgomery, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act making the territory comprised within the boundaries of the city of Poughkeepsie the jail liberties of the county of Dutchess."

Assembly bill, "An act to amend the act in relation to the penitentiary in the county of Onondaga, passed April 10, 1850."

"An act to facilitate the construction of the Albany and Susquehanna railroad."

After some time spent therein, the President resumed the chair, and Mr. Warner, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Warner, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens."

"An act to amend section 1, chapter 701 of the laws of 1857, relative to the improvements of Westchester creek.

"An act to provide arms and equipments for the militia of the State."

After some time spent therein, the President resumed the chair, and Mr. Rotch, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Rotch, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, *January 29, 1861.*

TO THE SENATE—I submit, herewith, the annual report of the Trustees of the Cooper Union, for the advancement of science and art, which presents in detail, a statement of receipts and disbursements for the year 1860.

I am informed by the Secretary that the printed report of the operations of the institution will soon be ready for distribution to members of both branches of the Legislature.

The most casual reference to the items of expenditure, in this report, is the best commentary on its usefulness, showing as they do, to what beneficent purposes the income of this munificent donation is applied.

E. D. MORGAN.

Ordered, That said report be laid on the table and printed.

(*See Assembly Doc. No. 36.*)

On motion of Mr. McGraw, the Senate adjourned.

WEDNESDAY, JANUARY 30, 1861.

The Senate met pursuant to adjournment.

Prayer by Rabbi S. Falk.

The journal of yesterday was read and approved.

The President presented a communication from the Hon. H. H. Van Dyck, in the words following, to wit:

ALBANY, *January 30, 1861.*

TO THE HON. SENATE—The closing exercises of the present term of the

State Normal School will take place in the chapel of the institution, on Thursday afternoon, (31st,) at 3½ o'clock P. M.

The members of the Senate are respectfully invited to attend.

H. H. VAN DYCK,

Chairman of Executive Committee.

On motion of J. M. Murphy, said invitation was accepted.

Mr. Truman presented a petition of citizens of Binghamton, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Also, a petition of citizens of Tioga county, for extension of Chenango canal, which was read and committed to the committee of the whole.

Mr. Kelly presented a petition of company D, 9th regiment, for limitation of term of office in militia, which was read and referred to the committee on militia and public defence.

Mr. Ramsey presented a petition of citizens of Schenectady, for repeal of act extending the bounds of said city, which was read and referred to the committee on the incorporation of cities and villages.

Also, a petition of inhabitants of Schoharie county, for State aid to build Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. J. M. Murphy presented a petition of company H, 8th regiment, for limitation of term of office in militia, which was read and referred to the committee on militia and public defence.

Mr. Manierre presented two petitions on same subject, which were read and referred to the committee on militia and public defence.

Mr. Gardiner presented a petition of Daniel Chauncey and others, for extension of Brooklyn Central railroad track through Furman street, in said city, which was read and referred to the committee on railroads.

Mr. Prosser presented a petition of the common council of the city of Buffalo, in relation to the observance of the 22d of February as a public holiday, which was read and referred to the committee on militia and public defence.

Mr. Richmond presented a petition of trustees of Troy University, for aid to said institution, which was read and referred to the committee on literature.

Mr. Ketcham presented a remonstrance of citizens of Hudson, against passage of the act in relation to sewers in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Colvin presented a petition of Cornelius Austin and Mary Austin, for relief, which was read and referred to the committee on the judiciary.

Mr. Munroe, from the committee on banks, to which was referred the bill entitled "An act to incorporate the People's Savings bank, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on claims, to which was referred the Assembly bill entitled "An act to amend chapter 606 of the Laws of 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery gave notice that he would at an early day ask leave to introduce a bill for the relief of Horace Allen.

By unanimous consent, Mr. Blood asked and obtained leave to introduce a bill entitled "An act to incorporate the National Horse Show association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Williams asked and obtained leave to intro-

duce a bill entitled "An act to amend an act entitled 'An act to authorize the formation of companies for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the society for the relief of poor widows with small children,' passed April 10, 1810," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly bill entitled "An act to authorize the board of supervisors of Richmond county to borrow thirty-six thousand dollars upon the official bonds of the county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	Munroe	Robertson
Colvin	Hammond	McGraw	P. P. Murphy	Sessions
Connolly	Kelly	Manierre	Prosser	Truman
Fiero	Ketcham	Montgomery	Ramsey	Williams
Gardiner	Lapham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the act in relation to the penitentiary in the county of Onondaga, passed April 10, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	Munroe	Robertson
Colvin	Hammond	McGraw	J. M. Murphy	Sessions
Connolly	Kelly	Manierre	P. P. Murphy	Truman
Fiero	Ketcham	Montgomery	Prosser	Williams
Gardiner	Lapham			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act making the territory comprised within the boundaries of the city of Poughkeepsie, the jail liberties of the county of Dutchess."

"An act to amend section 1, chapter 701 of the Laws of 1857, relative to the improvement of Westchester creek."

"An act to incorporate the female academy of the Sacred Heart, at Albany."

"An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens."

"An act making the office of county clerk, in the county of Clinton, a salaried office."

The bill entitled "An act making the territory comprised within the

boundaries of the city of Poughkeepsie, the jail liberties of the county of Dutchess," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Ketcham	J. M. Murphy	Sessions
Colvin	Goss	Lawrence	P. P. Murphy	Truman
Connolly	Hammond	Montgomery	Prosser	Williams
Fiero	Kelly	Munroe	Robertson	19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act making the office of county clerk, in the county of Clinton, a salaried office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	P. P. Murphy	Rotch
Colvin	Kelly	Montgomery	Prosser	Sessions
Fiero	Ketcham	Munroe	Robertson	Truman
Goss	Lapham			17

FOR THE NEGATIVE.

Connolly	J. M. Murphy	Spinola	3
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 1, chapter 701 of the laws of 1857, relative to the improvement of Westchester creek," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	McGraw	P. P. Murphy	Rotch
Colvin	Kelly	Montgomery	Prosser	Sessions
Connolly	Ketcham	Munroe	Ramsey	Truman
Fiero	Lapham	J. M. Murphy	Robertson	Williams
Goss	Lawrence			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	McGraw	Prosser	Sessions
Colvin	Kelly	Montgomery	Ramsey	Spinola
Connolly	Ketcham	Munroe	Robertson	Truman
Fiero	Lapham	P. P. Murphy	Rotch	Williams
Goss	Lawrence			22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Truman offered the following resolution :

Resolved, That the committee on claims be allowed to employ G. W. Fay, as clerk for said committee.

Pending the question on the adoption of said resolution, the hour of 12 o'clock having arrived, the President announced that the Senate would go into executive session.

After some time spent therein, the doors were opened and legislative business resumed.

The Senate resumed the consideration of the resolution pending at the hour of going into executive session.

Mr. McGraw moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Robertson offered the following resolution :

Resolved, That the committee on commerce and navigation be empowered to appoint Geo. W. Warner as clerk to said committee, whenever they shall deem it necessary.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Colvin	Goss	Lawrence	Robertson	Truman	
Connolly	Kelly	J. M. Murphy	Sessions	Warner	
Gardiner	Lapham	P. P. Murphy	Spinola		14

FOR THE NEGATIVE.

McGraw	Montgomery	Williams	3
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Mr. Ketcham offered the following resolution :

Resolved, (if the Assembly concur,) That a joint committee of the Senate and Assembly, to be composed of the standing committees of the two Houses on State prisons, be a committee for the purpose of examining into alleged abuses in the punishment of convicts, and the pecuniary affairs of the State prisons ; and that said committee have power to send for persons and papers, to visit the prisons and report to the Legislature at as early a day as practicable.

Ordered, That said resolution be laid on the table.

On motion of Mr. Richmond,

Resolved, That the petitions on file for aid to the Troy University, be referred to the committee on literature.

Mr. Rotch offered the following resolution :

Resolved, That 4,000 extra copies of the report of the select committee to which was referred the petitions for aid to the Albany and Susquehanna railroad, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. J. M. Murphy,

Resolved, That the counsel to the corporation of the city of New York, be directed to report to the Senate, at an early day, the names of the persons employed as commissioners and clerks in opening streets, since the first of January 1860, with the amount of compensation paid to each.

Mr. Spinola offered the following resolution :

Resolved, That there be printed 1,500 extra copies of the report of the Metropolitan Police Commissioners of the city of New York, for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Spinola moved to take from the table the bill entitled "An act to submit certain propositions to amend the Constitution of the United States, to the people of this State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Spinola moved that the rules be suspended, and said bill referred to the first committee of the whole, on Friday.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Connolly	Kelly	Manierre	Robertson	
Colvin	Gardiner	Lawrence	J. M. Murphy	Spinola	10

FOR THE NEGATIVE.

Fiero	Ketcham	Montgomery	Ramsey	Truman	
Goss	Lapham	Munroe	Richmond	Wainer	
Hammond	McGraw	Prosser	Rotch	Williams	15

Mr. Hammond moved to refer said bill to the select committee on federal relations.

Mr. Spinola moved to amend by adding the words, "and that the committee be instructed to report the bill back to the Senate on Friday next."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Connolly	Kelly	J. M. Murphy	Spinola	
Colvin	Gardiner	Lawrence			8

FOR THE NEGATIVE.

Fiero	Ketcham	Montgomery	Prosser	Truman	
Goss	Lapham	Munroe	Rotch	Warner	
Hammond	McGraw	P. P. Murphy			13

The President then put the question whether the Senate would agree to said motion of Mr. Hammond, to refer said bill to the select committee on federal relations, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Fiero	Ketcham	Montgomery	Prosser	Truman	
Goss	Lapham	Munroe	Rotch	Warner	
Hammond	McGraw	P. P. Murphy			13

FOR THE NEGATIVE.

Blood	Connolly	Kelly	J. M. Murphy	Spinola	
Colvin	Gardiner	Lawrence			8

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act to authorize the city of Poughkeepsie to borrow money for the purchase of a steam fire engine and for other specified purposes."

"An act to provide for the payment of interest on certain canal drafts, certificates and awards."

"An act to provide arms and equipments for the militia of the State."

After some time spent therein, the President resumed the chair, and Mr. Munroe, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Munroe, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

On motion of Mr. McGraw, the Senate adjourned.

THURSDAY, JANUARY 31, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Fulton.

The journal of yesterday was read and approved.

Mr. Ramsey presented a petition of inhabitants of Schoharie county, for state aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Rotch presented a petition of citizens of Otsego county, on same subject, which was read and committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the select committee to whom was referred the petitions for aid to the Albany and Susquehanna railroad, reported in favor of the adoption of the following resolution :

Resolved, That 4,000 extra copies of the report of the select committee to which was referred the petitions for aid to the Albany and Susquehanna railroad, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the punishment of crimes, and concerning prisoners confined in the State prisons," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,' " reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the transaction of business at the several courts of record to be held in and for the county of Schoharie," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public of the city and county of Oswego," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend and extend an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Maria Murphy and Ann Kerrigan," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of the county of Chautauqua to appoint an assistant,' passed April 14, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act making appropriations for the canal debt, and the maintenance of the canals for the fiscal year commencing on the first day of October, 1861."

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act in relation to the planting of oysters within the waters of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received requesting the concurrence of the Senate to the following entitled bills:

"An act authorizing the Brockport and Clarkson plankroad company to reduce the number of directors from nine to five," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the electors of the town of Poughkeepsie to vote by districts for town officers," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ketcham, and by unanimous consent, the rules were suspended and said bill was committed to the first committee of the whole, two-thirds of all the Senators present voting in favor thereof.

"An act to incorporate the village of Panama," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the Bushwick and Newtown bridge and turnpike road company to widen the draw to their bridge, and to grant and release certain rights to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act authorizing the trustees of the village of Hornellsville to permit the erection of gas works, and laying pipes for the same in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act for the appraisal and payment of canal damages to Jeremiah

Van Buren," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

The Assembly returned the concurrent resolution that the two Houses of the Legislature proceed on Tuesday the 5th day of February, at 12 o'clock at noon, to the election of a United States Senator in place of Wm. H. Seward, whose term of office will expire on the fourth day of March next, with a message that they had concurred in the passage of the same, without amendment.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to provide for the improvement of Harlem river.

Mr. Fiero gave notice that he would at an early day move to amend the 38th rule of the Senate.

In pursuance of previous notice, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to authorize the trustees of the Asylum for Idiots to purchase additional land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act for the relief of Horace Allen," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Brooklyn to provide for the payment of a deficiency in the revenue of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Spinola, and by unanimous consent, the rules were suspended and said bill referred to the committee on the incorporation of cities and villages, to report complete.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act in relation to attempts to escape by convicts in State prisons," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lapham, and by unanimous consent, the rules were suspended and said bill referred to the committee on State prisons, to report complete.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to incorporate the Bay Ridge fire company, in Kings county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe,' passed April 12, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Spinola, from the committee on insurance companies, to which was referred the petition of the New York Life Insurance company, for an amendment of their charter, reported by bill entitled "An act to amend the charter of the New York Life Insurance company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Fiero, from the committee on militia and public defence, to which was referred the bill entitled "An act in relation to the State Arsenal and lands, in the city of Brooklyn," reported in favor

of the passage of the same, and said bill was committed to the committee of the whole.

The order of business of third reading of bills having been announced, Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Spinola,

Resolved, That George A. Goss be, and he is hereby appointed clerk to the committee on internal affairs of towns and counties.

Mr. Goss offered the following resolution :

Resolved, That there be printed for the use of the Senate 300 copies of the list of members, officers and reporters of the Legislature, and 40 on card board.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Truman moved to reconsider the vote on the resolution adopted yesterday appointing G. W. Fay as clerk of the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

Assembly bill, "An act to enable the electors of the town of Poughkeepsie to vote by district for town officers."

"An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike."

"An act to encourage rural improvement."

After some time spent therein, the President resumed the chair, and Mr. Goss, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Goss, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

Assembly bill, "An act to amend an act entitled 'An act to legalize the State and county taxes in the county of Rensselaer for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' passed April 10, 1860."

Assembly bill, "An act to repeal the act passed January 28, 1860, entitled 'An act in relation to the poor house and paupers in Dutchess county.'"

"An act to provide arms and equipments for the militia of the State."

After some time spent therein, the President resumed the chair, and Mr. Hammond, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Hammond, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Colvin moved that said last named bill be made the special order for Saturday, at 11½ o'clock A. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend article 4th, title 5th, chapter 9th, of part 1st of the Revised Statutes, entitled 'Of grants of land under water.'"

Assembly bill, "An act authorizing the county of Dutchess to purchase a lot of ground for the purpose of erecting a jail thereon, and to give its bond for the purchase money thereof, with interest thereon, payable semi-annually."

"An act to divide school district No. 2, of the town of Yonkers, into separate districts, and to constitute and define the powers of the board of education in the new district."

After some time spent therein, the President resumed the chair, and Mr. McGraw, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. McGraw, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Lapham moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Fiero moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

On motion of Mr. Munroe, the Senate adjourned.

FRIDAY, FEBRUARY 1, 1861.

The Senate met pursuant to adjournment.

Prayer by Rabbi S. Falk.

The journal of yesterday was read and approved.

Mr. Munroe presented a petition of James Burke and Lawrence Claffy, for relief, which was read and referred to the committee on claims.

Mr. P. P. Murphy presented a petition of the board of trustees of the village of Niagara Falls, for an amendment of their charter, which was read and referred to the committee on incorporation of cities and villages.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Metropolitan Police Commissioners of the city of New York, reported in favor of the adoption of the following resolution:

Resolved, That there be printed 1,000 extra copies of the report of the Metropolitan Police Commissioners of the city of New York, for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print copies of the list of members, officers and reporters of the Legislature, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Senate 300 copies of

the list of members, officers and reporters of the Legislature, and forty on card board.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Fiero, from the committee on militia and public defence, to which was referred the bill entitled "An act to incorporate the Veterans of the National Guard, 7th Regiment, 1st Division New York State militia," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to amend an act to provide for the incorporation of insurance companies, passed June 25, 1853.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill in relation to the sale of butts, barrels, hogsheads and casks, used by the manufacturers of malt liquors, and other persons or parties.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill relative to the Third avenue and Fordham railroad company.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act relating to the public health of the Metropolitan police district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend the act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal years, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act for the relief of James Burke and Lawrence Claffy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad in Tenth avenue, Forty-second street, and certain other avenues and streets in the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to authorize the supervisors of the county of Jefferson to raise money and make appropriations for the use of the Watertown Home for Destitute and Friendless Orphans and Children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The Assembly bill entitled "An act to authorize the city of Poughkeepsie to borrow money for the purchase of a steam fire engine and for other specified purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	P. P. Murphy	Robertson
Blood	Hammond	Manierre	P. P. Murphy	Robertson
Fiero	Hillhouse	Montgomery	Prosser	Rotch
Gardiner	Ketcham	Munroe	Ramsey	Warner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to legalize the State and county taxes in the county of Rensselaer, for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' passed April 10, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	Manierre	P. P. Murphy	Robertson
Connolly	Hillhouse	Montgomery	Prosser	Rotch
Fiero	Ketcham	Munroe	Ramsey	Spinola
Goss	Lapham	J. M. Murphy	Richmond	Warner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the electors of the town of Poughkeepsie to vote by districts for town officers," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connolly	Grant	Ketcham	Ramsey	Robertson
Fiero	Hammond	Montgomery	Richmond	Warner

10

FOR THE NEGATIVE.

Goss	Hillhouse	Lapham	Truman
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4

Mr. Ketcham moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ketcham moved to recommit said bill to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act making appropriations for the canal debt and the maintenance of the canals, for the fiscal year commencing on the first day of October, eighteen hundred and sixty-one," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Manierre	Prosser	Rotch
Connolly	Ketcham	Montgomery	Ramsey	Spinola
Fiero	Lapham	J. M. Murphy	Richmond	Truman
Goss	McGraw	P. P. Murphy	Robertson	Warner
Hammond				

21

FOR THE NEGATIVE.

Grant

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to repeal the act passed January 28, 1860, entitled 'An act in relation to the poor house and paupers in Dutchess county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	McGraw	P. P. Murphy	Rotch
Blood	Hammond	Montgomery	Prosser	Spinola
Colvin	Hillhouse	Munroe	Ramsey	Truman
Connolly	Ketcham	J. M. Murphy	Richmond	Warner
Fiero	Lapham			

22

FOR THE NEGATIVE.

Manierre

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike."

The third reading of said bill having been announced—

On motion of Mr. Ramsey, and by unanimous consent, it was amended by striking out the words "and" in line 2, section 1 of engrossed bill.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Prosser	Sessions
Colvin	Hillhouse	Munroe	Ramsey	Spinola
Connolly	Ketcham	J. M. Murphy	Robertson	Truman
Goss	McGraw	P. P. Murphy	Rotch	Warner
Grant				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the bill entitled "An act in relation to county treasurers," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery called for the consideration of the following resolution, from the Assembly, to wit:

Resolved, (if the Senate concur,) That twenty-five copies of the annual report of the Superintendent of the Insurance Department, be printed for each member, officer and reporter of the Assembly and Senate, and 2,000 copies on fine paper for the use of the Superintendent, and that the same be bound.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

Mr. Colvin moved to postpone said special order until Thursday next, at 12 M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President presented a communication, in the words following, to wit:

ALBANY, February 1, 1860.

To the Hon. the President of the Senate:

The following resolution was adopted yesterday by the State Convention now in session at Tweedle Hall, in this city:

Resolved, That all State officers and all members of the State Legislature, who sympathize with the objects of this convention, be invited to seats on this floor.

Adopted unanimously.

I have the honor to be, very respectfully, your obedient servant,
AMASA J. PARKER, *President of Convention*.

E. O. PERRIN, *Secretary*.

Mr. Spinola moved that said invitation be accepted.

Mr. Fiero moved to lay said communication on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	Montgomery	Ramsey	Rotch
Bell	Hillhouse	Munroe	Richmond	Sessions
Fiero	Lapham	P. P. Murphy	Robertson	Warner
Goss	McGraw			

17

FOR THE NEGATIVE.

Blood	Connolly	Lawrence	J. M. Murphy	Spinola
Colvin	Grant			

7

While the Clerk was proceeding to call the roll, Mr. Spinola moved that the Sergeant-at-Arms be directed to invite in the absent Senators.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President presented a communication from the Attorney General, in reply to a resolution of the Senate calling for information in relation to the claim of Squire Whipple, which was laid on the table and ordered printed.

(See Doc. No. 22.)

The President also presented the annual report of the trustees of the Northern Dispensary of the city of New York, for the year 1860, which was laid on the table and ordered printed.

(See Doc. No. 21.)

Mr. P. P. Murphy offered the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Auditor of the Canal Department, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act conferring upon the boards of supervisors of the several counties of this State, additional powers of local legislation."

"An act to amend article 4th, title 5th, chapter 9th, of part 1st of the Revised Statutes, entitled 'Of grants of land under water.'"

"An act to facilitate the construction of the Albany and Susquehanna railroad."

After some time spent therein, the President resumed the chair, and Mr. Bell, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Bell, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

A message was received and read, from his Excellency the Governor, transmitting certain resolutions adopted by the Legislatures of several States, which were laid on the table and ordered printed.

(See Doc. No. 20.)

By unanimous consent, Mr. Manierre offered the following preamble and resolution:

Whereas, By the 13th section of an act of the Congress of the United States, entitled "An act to regulate the deposits of the public money," approved the 23d day of June, 1836, the sum of \$4,014,520.71, belonging to the United States, was deposited with this State for safe keeping; and,

Whereas, This State, by an act of the Legislature passed on the 10th day of January, 1837, agreed to receive the said money on deposit, and inviolably pledged the faith of the State for its safe keeping and repayment whenever the same should be required by the Secretary of the Treasury of the United States; and,

Whereas, In the present disturbed condition of the country, it is the duty of this State by all possible efforts to support the authority of the Federal Government and sustain its credit; and,

Whereas, It is believed that the aforesaid deposit of money with this State may be made instrumental in sustaining the public credit, by pledging it as security for the repayment of a loan by the United States to the amount of such deposit; therefore, be it

Resolved, (if the Assembly concur,) That upon the request of the Secretary of the Treasury of the United States, the Comptroller of this State be authorized and required under his hand and the seal of the State, to guaranty the payment of the principal and interest of any bonds of the United States, to the amount of the moneys belonging to the United States, which were received by this State, under the before mentioned act of June 23, 1836, and are now in its custody for safe keeping.

Ordered, That said resolution be laid on the table.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to offer the following resolution:

Resolved, That the trustees of the State Library be requested, if in their judgment they deem the purchase valuable to the preservation of the revolutionary history of the State, to procure the collection of the papers known as the Livingston correspondence, at a price not to exceed the sum of two thousand dollars.

Mr. J. M. Murphy moved that said resolution be referred to the joint library committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Lawrence, the Senate adjourned.

SATURDAY, FEBRUARY 2, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Fulton.

The journal of yesterday was read and approved.

Mr. Ramsey presented a petition of inhabitants of Schoharie county, for State aid to build Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Also, a petition of citizens of same county, to repeal charter of Schoharie and Richmondville plankroad company, which was read and referred to the committee on roads and bridges.

Mr. Rotch presented a petition of citizens of Otsego county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Truman presented a petition of citizens of Tioga county, for extension of the Chenango canal, which was read and committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Auditor of the Canal Department, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Auditor of the Canal Department, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act authorizing and providing for the transfer of certain actions and proceedings from the city court of Brooklyn, to the Supreme Court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act in relation to the construction of sidewalks in the village of Masonville, in Delaware county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to further amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' as far as the same relates to the village of Tonawanda, Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to fix the salary of the city judge of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the support of the poor in the county of Herkimer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to amend the act in relation to the Penitentiary in the county of Onondaga, passed April 10, 1850."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment:

"An act to amend an act in relation to documentary evidence, passed March 24, 1857."

"An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following preamble and resolutions:

Whereas, The State of Virginia, by resolutions of her General Assembly, passed the 19th instant, has invited such of the slaveholding and non-slaveholding States as are willing to unite with her, to meet at Washington, on the 4th of February next, to consider, and, if practicable, agree on some suitable adjustment of our national difficulties; and,

Whereas, The people of New York, while they hold the opinion that the Constitution of the United States, as it is, contains all needful guarantees for the rights of the States, are nevertheless ready at all times to confer with their brethren upon all alleged grievances, and do all that can justly be required of them to allay discontent; therefore,

Resolved, That David Dudley Field, William Curtis Noyes, James S. Wadsworth, James C. Smith, Amariah B. James, Erastus Corning, Addison Gardiner, Greene C. Bronson and William E. Dodge, be and are hereby appointed Commissioners, on the part of this State, to meet Commissioners from other States in the city of Washington, on the 4th day of February next, or as soon thereafter as Commissioners shall be appointed by a majority of the States of the Union, to confer with them upon the complaints of any part of the country, and to suggest such remedies therefor as to them shall seem fit and proper; but the said Commissioners shall at all times be subject to the control of this Legislature, and shall cast five votes, to be determined by a majority of their number.

Resolved, That in thus acceding to the request of Virginia, it is not to be understood that this Legislature approves of the propositions submitted by the General Assembly of that State, or concedes the propriety of their adoption by the proposed convention. But while adhering to the position she has heretofore occupied, New York will not reject an invitation to a conference which, by bringing together the men of both sections, holds out the possibility of an honorable settlement of our national difficulties, and the restoration of peace and harmony to the country.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to the Executives of the several States, and also to the President of the United States, and to inform the Commissioners, without delay of their appointment.

Resolved, That the foregoing resolutions be transmitted to the Hon. the Senate, with a request that they concur therein.

Ordered, That said resolutions be laid on the table.

Mr. Hillhouse, from the majority of the joint select committee, to which was referred the message of his Excellency the Governor, together with the resolutions of the Legislature of the State of Virginia, reported in favor of the adoption of the resolutions, as received from the Assembly.

Mr. J. M. Murphy, from the minority of the joint select committee, to which was referred the message of his Excellency the Governor, together with the resolutions of the Legislature of the State of Virginia, reported in writing.

Said reports were laid on the table and ordered printed.

(See *Assembly Docs. Nos. 38 and 39.*)

The hour of half-past 11^h having arrived, the President announced the special order, being the bill entitled as follows:

"An act to provide arms and equipments for the militia of the State."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Fiero moved that said bill be made the special order for Tuesday next, immediately after reading the journal.

Mr. Hammond moved to amend by striking out "Tuesday" and inserting in lieu thereof "Wednesday," and that at two o'clock the question of ordering the bill to a third reading be taken without delay or debate, unless the bill is sooner perfected.

Mr. Spinola moved to amend, "that no other business except executive session be transacted on that day, and that the Senate perfect the bill before it adjourns."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to said motion of Mr. Hammond, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Fiero, as amended, and it was decided in the affirmative.

The order of business of third reading of bills having been announced, Mr. Spinola moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardner	Kelly	J. M. Murphy	Spinola
Colvin	Grant	Ketcham	Robertson	Truman
Connolly	Hillhouse			

12

FOR THE NEGATIVE.

Abell	Hammond	Montgomery	Prosser	Rotch
Bell	Lapham	Munroe	Ramsey	Sessions
Fiero	McGraw	P. P. Murphy	Richmond	Warner
Goss				

16

Mr. Bell gave notice that he would at an early day ask leave to introduce a bill in relation to affidavits.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to legalize certain acts and ordinances of the mayor, aldermen and commonalty of the city of New York, passed March 27, 1856, relating to contracts for filling in sunken lots.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill to amend the law in relation to loan commissioners.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act conferring upon the boards of supervisors of the several counties of this State, additional powers of local legislation."

By unanimous consent, Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the

report of the select committee appointed to examine into the condition, affairs and progress of the New York Central Park, reported in favor of the adoption of the following resolution:

Resolved, That fifteen extra copies of the report of the select committee appointed to examine into the condition, affairs and progress of the New York Central Park, be printed for each member, officer and reporter of the Legislature; and that 300 copies shall be printed for the members of said committee.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to amend article 3, title 1, chapter 8, part 2 of the Revised Statutes, concerning domestic relations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to the Third avenue and Fordham railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act to increase the duties and compensation of the physicians, respectively, at the Auburn and Sing Sing prisons," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

By unanimous consent, Mr. Grant asked and obtained leave to introduce a bill entitled "An act to incorporate the Neversink river plankroad company, and to authorize the issuing and holding of certificates of stock therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly bill entitled "An act authorizing the county of Dutchess to purchase a lot of ground for the purpose of erecting a jail thereon, and to give its bond for the purchase money thereof, with interest thereon, payable semi-annually," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	Prosser	Sessions
Blood	Hammond	Montgomery	Ramsey	Truman
Connolly	Hillhouse	Munroe	Richmond	Warner
Fiero	Ketcham	J. M. Murphy	Robertson	Williams
Gardiner	Lapham	P. P. Murphy	Rotch	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act conferring upon the boards of supervisors of the several counties of this State additional powers of local legislation," having been announced,

Mr. Blood moved to recommit, with instructions to amend by striking out the counties of Saratoga, Montgomery, Fulton and Hamilton.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Munroe moved to recommit, with instructions to strike out the coun-

The President presented the annual report of the Canal Appraisers for 1860, which was laid on the table and ordered printed.

(See Doc. No. 30.)

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills :

"An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, orphan asylum and missionary societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act for the relief of Jacob Houck, Peter Houck and Catharine Ann Houck," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to alter the commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the common council of the city of Utica to pay the floating debt of said city, to borrow the amount of such debt upon the corporate bonds of said city, and to levy and collect a tax for the redemption of such bonds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the act entitled 'An act to provide for the payment of interest on certain canal drafts, certificates and awards, for damages,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

A message from the Assembly was received and read, informing that they had concurred in the passage of the following entitled bill, without amendment :

"An act making the office of county clerk, in the county of Clinton, a salaried office."

Ordered That the Clerk deliver said bill to the Governor.

In pursuance of previous notice, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to legalize certain acts and ordinances of the mayor, aldermen and commonalty of the city of New York, passed November 27, 1856, relating to contracts for filling in sunken lots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Hammond asked and obtained leave to introduce a bill entitled "An act releasing the interest of the people of the State of New York in certain premises situate in the town of Plattsburgh, in the county of Steuben, to the superintendents of the poor of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to incorporate the Zeta Phi Fraternity, in the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The third reading of the bill entitled "An act to divide school district No. 2, of the town of Yonkers, into separate districts, and to constitute and define the powers of the board of education in the new district," having been announced—

Mr. J. M. Murphy moved to recommit it to the committee on literature.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Lapham	Prosser	Rotch	
Blood	Hillhouse	Montgomery	Ramsey	Sessions	
Colvin	Kelly	Munroe	Richmond	Truman	
Connolly	Ketcham	P. P. Murphy	Robertson	Williams	20

FOR THE NEGATIVE.

J. M. Murphy	Warner	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Ketcham moved that the Assembly bill entitled "An act to enable the electors of the town of Poughkeepsie to vote by districts for town officers," now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Montgomery	Ramsey	Spinola	
Blood	Hillhouse	Munroe	Richmond	Truman	
Colvin	Kelly	J. M. Murphy	Rotch	Warner	
Connolly	Ketcham	P. P. Murphy	Sessions	Williams	
Goss	Lapham	Prosser			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hillhouse called for the consideration of the following resolutions, from the Assembly, to wit :

Whereas, The State of Virginia, by resolutions of her General Assembly, passed the 19th instant, has invited such of the slaveholding and non-slaveholding States as are willing to unite with her, to meet at Washington, on the 4th of February next, to consider, and, if practicable, agree on some suitable adjustment of our national difficulties ; and,

Whereas, The people of New York, while they hold the opinion that the Constitution of the United States, as it is, contains all needful guarantees for the rights of the States, are nevertheless ready at all times to confer with their brethren upon all alleged grievances, and do all that can justly be required of them to allay discontent ; therefore,

Resolved, That David Dudley Field, William Curtis Noyes, James S. Wadsworth, James C. Smith, Amariah B. James, Erastus Corning, Addison Gardiner, Greene C. Bronson and William E. Dodge, be and are hereby appointed Commissioners, on the part of this State, to meet Commissioners

from other States in the city of Washington, on the 4th day of February next, or as soon thereafter as Commissioners shall be appointed by a majority of the States of the Union, to confer with them upon the complaints of any part of the country, and to suggest such remedies therefor as to them shall seem fit and proper; but the said Commissioners shall at all times be subject to the control of this Legislature, and shall cast five votes, to be determined by a majority of their number.

Resolved, That in thus acceding to the request of Virginia, it is not to be understood that this Legislature approves of the propositions submitted by the General Assembly of that State, or concedes the propriety of their adoption by the proposed convention. But while adhering to the position she has heretofore occupied, New York will not reject an invitation to a conference which, by bringing together the men of both sections, holds out the possibility of an honorable settlement of our national difficulties, and the restoration of peace and harmony to the country.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to the Executives of the several States, and also to the President of the United States, and to inform the Commissioners, without delay of their appointment.

Resolved, That the foregoing resolutions be transmitted to the Hon. the Senate, with a request that they concur therein.

Mr. Bell moved to amend by striking out all after the word "whereas," and inserting in lieu thereof the following:

"Although in the opinion of the people of the State of New York, the Constitution of the United States, as its framers designed, forms a perfect union of the States, establishes justice, ensures domestic tranquility, provides for the common defence, promotes the general welfare, and secures the blessings of liberty to ourselves and our posterity; yet they are ready at all times, to consider propositions submitted by the people of any sister State asking for an amendment of that instrument; and whereas, the professed object of the Convention to which the General Assembly of Virginia invites the Legislature of the State of New York to send Commissioners, is to consider and agree upon certain amendments which that State proposes to make to the Constitution of the United States; and whereas, the only provision for its alteration or amendment is contained in article 5 of that instrument, and is as follows:

'The Congress, whenever two-thirds of both branches shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress; therefore,

Resolved, That in response to the resolutions of the General Assembly of Virginia, and in conformity to the above cited provisions of the Constitution of the United States, the Legislature of the State of New York hereby applies to Congress to call a Convention of the several States to meet in the city of Washington on the 4th day of March next, or as soon thereafter as the requisite number of States shall have joined in this application.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions to the President of the United States, and to the Executives of the several States."

Pending the question—

Mr. McGraw moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Kelly	Montgomery	Rotch	Truman
Bell	Ketcham	Munroe	Sessions	Warner
Connolly	Lapham	Prosser	Spinola	Williams
Hammond	McGraw	Richmond		

18

FOR THE NEGATIVE.

Blood	Fiero	Grant	Manierre	P. P. Murphy
Colvin	Goss	Hillhouse	J. M. Murphy	

9

The President declared the Senate adjourned until to-morrow at eleven o'clock.

TUESDAY, FEBRUARY 5, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of yesterday was read and approved.

Mr. Lapham presented a petition of voters of Plattsburgh, for the erection of an additional election district in said town, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Manierre presented a petition of several hundred citizens of New York, for a law submitting to the people of the State the Crittenden amendment to the Constitution, which was read and referred to the select committee on federal relations.

Mr. Ramsey presented a petition of inhabitants of Schoharie county, for State aid to build Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. McGraw presented a petition of Sachems and Counsellors of the Stockbridge tribe of Indians, for aid, which was read and referred to the committee on Indian affairs.

Mr. Connolly presented a petition of the Engineers' Corps of the 8th regiment, for limitation in the term of office in militia, which was read and referred to the committee on militia and public defence.

Mr. Manierre presented a petition of company J, 8th regiment, on the same subject, which was read and referred to the committee on militia and public defence.

Also, two petitions of members of the bar of New York, for an increase in the judicial force of said city, which were read and referred to the committee on the judiciary.

Mr. Rotch presented a remonstrance of inhabitants of Herkimer county, against the proposed alteration of the poor laws, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Spinola presented a petition of 300 citizens of Brooklyn, for an extension of the Brooklyn Central and Jamaica railroad company through Furman street to Fulton ferry, which was read and referred to the committee on railroads.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill appropriating \$500 for the purpose of erecting a monument to the memory of Barrant Statte Salisbury, a revolutionary lieutenant.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend an act to provide for the incorporation of insurance companies, passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act granting certain privileges to the South Side railroad company, of Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act to divide election district No. 1, of the town of Plattsburgh, Clinton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act amending the charter of the village of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to authorize a part of the records and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Montgomery offered the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Canal Appraisers be printed for the use of the Senate, and 800 for the use of the Appraisers.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Manierre moved to take from the table the following resolutions, and that the same be referred to the committee on finance, to wit:

Whereas, By the 13th section of an act of the Congress of the United States, entitled "An act to regulate the deposits of the public money," approved the 23d day of June, 1836, the sum of \$4,014,520.71, belonging to the United States, was deposited with this State for safe keeping; and,

Whereas, This State, by an act of the Legislature passed on the 10th day of January, 1837, agreed to receive the said money on deposit, and inviolably pledged the faith of the State for its safe keeping and repayment whenever the same should be required by the Secretary of the Treasury of the United States; and,

Whereas, In the present disturbed condition of the country, it is the duty of this State by all possible efforts to support the authority of the Federal Government and sustain its credit; and,

Whereas, It is believed that the aforesaid deposit of money with this State may be made instrumental in sustaining the public credit, by pledging it as security for the repayment of a loan by the United States to the amount of such deposit; therefore, be it

Resolved, (if the Assembly concur,) That upon the request of the Secretary of the Treasury of the United States, the Comptroller of this State be authorized and required under his hand and the seal of the State, to

guaranty the payment of the principal and interest of any bonds of the United States, to the amount of the moneys belonging to the United States, which were received by this State, under the before mentioned act of June 23, 1836, and are now in its custody for safe keeping.

Pending the question—

The hour of 12 o'clock having arrived, the President announced that pursuant to title 6, article 4, chapter 6, part 1st of the Revised Statutes of this State, and agreeably to the concurrent resolution of the Senate and Assembly, the Senate would proceed to nominate a Senator to represent this State in the Senate of the United States, in the place of Wm. H. Seward, whose term of office will expire on the 4th day of March next; when each Senator, as his name was called by the Clerk, rose in his place and nominated as follows:

FOR IRA HARRIS.

Abell	Hillhouse	Montgomery	Ramsey	Sessions
Bell	Ketcham	Munroe	Richmond	Truman
Fiero	Lapham	P. P. Murphy	Robertson	Warner
Goss	McGraw	Prosser	Rotch	Williams
Hammond	Manierre			

22

FOR HORATIO SEYMOUR.

Blood	Connolly	Grant	Lawrence	Spinola
Colvin	Gardiner	Kelly	J. M. Murphy	

9

A quorum having voted, and a majority having named Ira Harris as their choice, the President announced that Ira Harris had been nominated on the part of the Senate for Senator to represent this State in the Congress of the United States, for six years from the 4th day of March next, to fill the vacancy which will occur on that day by the expiration of the term of service of Wm. H. Seward.

The President further announced that pursuant to law, and agreeably to a concurrent resolution of the Senate and Assembly, the Senate would proceed to nominate a candidate for the office of Regent of the University, to supply the vacancy occasioned by the death of David Buel; when each Senator, as his name was called by the Clerk, rose in his place and nominated as follows:

FOR ELIAS W. LEAVENWORTH.

Abell	Hillhouse	Montgomery	Ramsey	Sessions
Bell	Ketcham	Munroe	Richmond	Truman
Fiero	Lapham	P. P. Murphy	Robertson	Warner
Goss	McGraw	Prosser	Rotch	Williams
Hammond	Manierre			

22

FOR JOHN D. WILLARD.

Blood	Connolly	Grant	Lawrence	Spinola
Colvin	Gardiner	Kelly	J. M. Murphy	

9

A quorum having voted, and a majority having named Elias W. Leavenworth as their choice, the President announced that Elias W. Leavenworth, of the city of Syracuse, had been nominated on the part of the Senate as a candidate for the office of Regent of the University, to supply the vacancy occasioned by the death of David Buel.

The President further announced that the Senate would proceed to the nomination of a candidate for the office of Regent of the University, to supply the vacancy occasioned by the non-attendance of Rev. George B. Cheever; when each Senator, as his name was called, rose in his place and nominated as follows:

FOR J. CARSON BREVOORT.

Abell	Hillhouse	Montgomery	Ramsey	Sessions
Bell	Ketcham	Munroe	Richmond	Truman

Fiero
Goss
Hammond

Lapham
McGraw
Manierre

P. P. Murphy
Prosser

Robertson
Rotch

Warner
Williams

22

FOR JEREMIAH W. CUMMINGS.

Blood
Colvin

Connolly
Gardiner

Grant
Kelly

Lawrence
J. M. Murphy

Spinola

9

A quorum having voted, and a majority having named J. Carson Brevoort as their choice, the President announced that J. Carson Brevoort, of the city of Brooklyn, had been nominated on the part of the Senate as a candidate for the office of Regent of the University, to supply the vacancy occasioned by the non-attendance of Rev. Geo. B. Cheever to qualify.

On motion of Mr. Manierre—

Resolved, That a committee of two be appointed to inform the Assembly that the Senate have made a nomination of a candidate for United States Senator, and for Regents of the University, and are ready to meet the Assembly and compare nominations.

Ordered, That Messrs. Manierre and Blood be such committee.

The Senate resumed the consideration of the question pending at the hour of proceeding to the nomination of a United States Senator, and Regents of the University.

The President put the question whether the Senate would agree to said motion of Mr. Manierre, to refer said resolutions to the finance committee, and it was decided in the affirmative.

Mr. Manierre, from the committee appointed to wait on the Assembly and inform that body that the Senate were ready to compare nominations, reported that they had performed the duty assigned them.

The President presented a communication from his Excellency the Governor, in the words following, to wit:

ALBANY, February 5, 1861.

TO THE SENATE—I have received from the Governor of Minnesota, and submit herewith, a copy of certain joint resolutions of the Legislature of that State, on the state of the Union, adopted on the 22d ultimo.

E. D. MORGAN.

Said resolutions were laid on the table and ordered printed.

(See Doc. No. 28.)

A further message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, February 5, 1861.

TO THE SENATE—I transmit herewith, a copy of certain resolutions adopted by the Legislature of Kentucky, recommending a call for a Convention of the United States; and also a series of resolutions of the same body, appointing Commissioners to attend the Conference at the city of Washington, on February 4, in accordance with the invitation of the Virginia Legislature.

E. D. MORGAN.

Said resolutions were laid on the table and ordered printed.

(See Doc. No. 28.)

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the Court of Common Pleas, for the city and county of New York, to the number of judges, their election and term of office," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the Superior Court of the city of New York, to the number of the justices thereof, their election and term of

office," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the Marine Court of the city of New York, to the number of justices, their election and term of office," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Hillhouse called for the consideration of the following resolutions, from the Assembly, to wit:

Whereas, The State of Virginia, by resolutions of her General Assembly, passed the 19th instant, has invited such of the slaveholding and non-slaveholding States as are willing to unite with her, to meet at Washington, on the 4th of February next, to consider, and, if practicable, agree on some suitable adjustment of our national difficulties; and,

Whereas, The people of New York, while they hold the opinion that the Constitution of the United States, as it is, contains all needful guarantees for the rights of the States, are nevertheless ready at all times to confer with their brethren upon all alleged grievances, and do all that can justly be required of them to allay discontent; therefore,

Resolved, That David Dudley Field, William Curtis Noyes, James S. Wadsworth, James C. Smith, Amaziah B. James, Erastus Corning, Addison Gardiner, Greene C. Bronson and William E. Dodge, be and are hereby appointed Commissioners, on the part of this State, to meet Commissioners from other States in the city of Washington, on the 4th day of February next, or as soon thereafter as Commissioners shall be appointed by a majority of the States of the Union, to confer with them upon the complaints of any part of the country, and to suggest such remedies therefor as to them shall seem fit and proper; but the said Commissioners shall at all times be subject to the control of this Legislature, and shall cast five votes, to be determined by a majority of their number.

Resolved, That in thus acceding to the request of Virginia, it is not to be understood that this Legislature approves of the propositions submitted by the General Assembly of that State, or concedes the propriety of their adoption by the proposed convention. But while adhering to the position she has heretofore occupied, New York will not reject an invitation to a conference which, by bringing together the men of both sections, holds out the possibility of an honorable settlement of our national difficulties, and the restoration of peace and harmony to the country.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to the Executives of the several States, and also to the President of the United States, and to inform the Commissioners, without delay of their appointment.

Resolved, That the foregoing resolutions be transmitted to the Hon. the Senate, with a request that they concur therein.

Pending the question—

Messrs. Ball and Ellingwood, a committee from the Assembly, appeared and announced that that body had made a nomination for United States Senator, and for Regents of the University, and were ready to receive the Senate in the Assembly chamber and compare nominations.

The President accordingly left the chair, and with the Senate proceeded to the Assembly chamber, and on comparing nominations for Senator in Congress, to supply the vacancy which will be occasioned by the expiration of the term of service of Wm. H. Seward, on the 4th of March next, they were found to agree in the name of Ira Harris.

Thereupon, the President announced and declared Ira Harris to be duly

appointed a Senator to represent the State of New York in the Congress of the United States, for six years from the 4th day of March next.

On comparing nominations for the office of Regent of the University to supply the vacancy occasioned by the death of David Buel, they were found to agree in the name of Elias W. Leavenworth.

Thereupon, the President announced and declared that Elias W. Leavenworth, of the city of Syracuse, was duly elected a Regent of the University, in place of David Buel, deceased.

On further comparing nominations for the office of Regent of the University to supply the vacancy occasioned by the non-attendance of Rev. George B. Cheever, they were found to agree in the name of J. Carson Brevoort.

Thereupon, the President announced and declared that J. Carson Brevoort, of the city of Brooklyn, was duly elected a Regent of the University in place of Rev. George B. Cheever, caused by non-attendance.

The Senate having returned to the Senate chamber, the President announced the foregoing proceedings as having taken place.

The Senate resumed the consideration of the question pending at the hour of proceeding to the Assembly chamber.

The President stated that the question was on the amendment offered by Mr. Bell, in the words following, to wit:

"Whereas, Although in the opinion of the people of the State of New York, the Constitution of the United States, as its framers designed, forms a perfect union of the States, establishes justice, ensures domestic tranquility, provides for the common defence, promotes the general welfare, and secures the blessings of liberty to ourselves and our posterity; yet they are ready at all times, to consider propositions submitted by the people of any sister State asking for an amendment of that instrument; and whereas, the professed object of the Convention to which the General Assembly of Virginia invites the Legislature of the State of New York to send Commissioners, is to consider and agree upon certain amendments which that State proposes to make to the Constitution of the United States; and whereas, the only provision for its alteration or amendment is contained in article 5 of that instrument, and is as follows:

'The Congress, whenever two-thirds of both branches shall deem it necessary, shall propose amendments to this Constitution, or on the application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as one or the other mode of ratification may be proposed by Congress;' therefore,

Resolved, That in response to the resolutions of the General Assembly of Virginia, and in conformity to the above cited provisions of the Constitution of the United States, the Legislature of the State of New York hereby applies to Congress to call a Convention of the several States to meet in the city of Washington on the 4th day of March next, or as soon thereafter as the requisite number of States shall have joined in this application.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions to the President of the United States, and to the Executives of the several States."

Mr. Montgomery moved further to amend by striking out all after the word "hereby" in the fourth line of the resolution, and inserting in lieu thereof the following:

"Expresses a willingness to unite with the Legislature of Virginia and

other States, in an application for a Convention, to assemble at an early day for the purpose of proposing amendments to the Constitution, for ratification by the several States."

The President put the question whether the Senate would agree to said amendment, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	McGraw	Munroe	Prosser	Richmond	
Bell	Manierre	J. M. Murphy	Ramsey	Truman	
Hammond	Montgomery	P. P. Murphy			13

FOR THE NEGATIVE.

Blood	Gardiner	Kelly	Robertson	Spinola	
Colvin	Goss	Ketcham	Rotch	Warner	
Connolly	Grant	Lapham	Sessions	Williams	
Fiero	Hillhouse	Lawrence			18

The President put the question whether the Senate would agree to said motion of Mr. Bell, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	McGraw	J. M. Murphy	Ramsey	Williams	
Hammond	Manierre	P. P. Murphy	Truman		9

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	Munroe	Rotch	
Blood	Goss	Lapham	Prosser	Sessions	
Colvin	Grant	Lawrence	Richmond	Spinola	
Connolly	Hillhouse	Montgomery	Robertson	Warner	
Fiero	Kelly				22

Mr. Hammond moved to amend by striking out the names of "Erastus Corning, Greene C. Bronson and Addison Gardiner," and inserting in lieu thereof the names of "John L. Talcott, Martin Grover and Joseph Mullin."

Mr. Truman called for a division of the question.

The President put the question whether the Senate would agree to so much of said motion as relates to the names of Erastus Corning and John L. Talcott, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Lapham	Montgomery	Sessions	Warner	
Hammond	Manierre	P. P. Murphy	Truman		9

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Robertson	
Blood	Goss	Lawrence	Prosser	Rotch	
Colvin	Grant	McGraw	Ramsey	Spinola	
Connolly	Hillhouse	Munroe	Richmond	Williams	
Fiero	Kelly				22

The President put the question whether the Senate would agree to so much of said motion as relates to the names of Addison Gardiner and Martin Grover, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Manierre	P. P. Murphy	Truman	Warner	
Hammond	Montgomery	Sessions			8

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Robertson	
Blood	Goss	Lapham	Prosser	Rotch	
Colvin	Grant	Lawrence	Ramsey	Spinola	
Connolly	Hillhouse	McGraw	Richmond	Williams	
Fiero	Kelly	Munroe			23

The President then put the question whether the Senate would agree to so much of said motion as relates to the names of Greene C. Bronson and Joseph Mullin, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Manierre	P. P. Murphy	Truman	Warner	8
Hammond	Montgomery	Sessions			

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Robertson	23
Blood	Goss	Lapham	Prosser	Rotch	
Colvin	Grant	Lawrence	Ramsey	Spinola	
Connolly	Hillhouse	McGraw	Richmond	Williams	
Fiero	Kelly	Munroe			

Mr. J. M. Murphy moved to amend by adding the following:

"And the said Commissioners hereby appointed, shall take an oath to support the Constitution of the United States."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Manierre	P. P. Murphy	Sessions	Warner	12
Hammond	Montgomery	Ramsey	Truman	Williams	
Lapham	J. M. Murphy				

FOR THE NEGATIVE.

Abell	Fiero	Hillhouse	McGraw	Richmond	18
Blood	Gardiner	Kelly	Munroe	Rotch	
Colvin	Goss	Ketcham	Prosser	Spinola	
Connolly	Grant	Lawrence			

Mr. Bell moved to amend by striking out the names of "David Dudley Field, William Curtis Noyes, Jas. S. Wadsworth, James C. Smith, Amaziah B. James, Erastus Corning, Addison Gardiner, Greene C. Bronson, and Wm. E. Dodge," and inserting in lieu thereof the words "the Governor may appoint five Commissioners on the part of this State," &c.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	McGraw	Munroe	Ramsey	Truman	13
Hammond	Manierre	J. M. Murphy	Sessions	Warner	
Ketcham	Montgomery	P. P. Murphy			

FOR THE NEGATIVE.

Abell	Fiero	Hillhouse	Prosser	Rotch	18
Blood	Gardiner	Kelly	Richmond	Spinola	
Colvin	Goss	Lapham	Robertson	Williams	
Connolly	Grant	Lawrence			

Mr. Prosser moved to amend by adding the names of "ex-Governor John A. King and Major Gen. John E. Wool;" also strike out the word "and" after "Greene C. Bronson."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ketcham	Montgomery	Prosser	Spinola	20
Bell	Lapham	Munroe	Ramsey	Truman	
Hammond	McGraw	J. M. Murphy	Richmond	Warner	
Hillhouse	Manierre	P. P. Murphy	Rotch	Williams	

FOR THE NEGATIVE.

Blood	Fiero	Goss	Kelly	Robertson	11
Colvin	Gardiner	Grant	Lawrence	Spinola	
Connolly					

Mr. Spinola moved that the question on the passage of the resolutions, as amended, be taken forthwith, without amendment, delay or debate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolutions, as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Munroe	Rotch
Blood	Gardiner	Ketcham	Prosser	Spinola
Colvin	Grant	Lapham	Richmond	Williams
Connolly	Hillhouse	Lawrence	Robertson	

19

FOR THE NEGATIVE.

Bell	McGraw	J. M. Murphy	Ramsey	Truman
Goss	Manierre	P. P. Murphy	Sessions	Warner
Hammond	Montgomery			

12

Ordered, That the Clerk return said resolutions to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Spinola, the Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mayo.

The journal of yesterday was read and approved.

The President announced the special order, being the bill entitled as follows :

"An act to provide arms and equipments for the militia of the State."

Mr. Hammond moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman presented a petition of citizens of Tioga county, for extension of Chenango canal, which was read and committed to the committee of the whole.

Mr. Bell presented a petition of Louisa Cone, of Jefferson county, for an amendment of the Constitution, prohibiting the sale of intoxicating liquors as a beverage, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Grant presented a petition of 500 citizens of Newburgh, asking for the submission of the Crittenden amendment to the people, which was read and referred to the select committee on federal relations.

Mr. Manierre presented a petition of James Bishop and others, for an act to incorporate the New York Navigation and Colonization company, which was read and referred to the committee on commerce and navigation.

Mr. Ramsey presented a petition of inhabitants of Schoharie county, for State aid to build Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Messrs. J. M. Murphy and Manierre presented petitions of company E, 8th regiment, for limitation in term of office in militia, which was read and referred to the committee on militia and public defence.

Mr. Spinola presented a petition of 150 residents of Brooklyn, for an extension of the track of the Brooklyn Central and Jamaica railroad company through Furman street to Fulton ferry, which was read and referred to the committee on railroads.

Mr. Ketcham, from the committee on State prisons, to which was referred the bill entitled "An act in relation to attempts to escape by convicts in State prisons," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Canal Appraisers, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the annual report of the Canal Appraisers, be printed for the use of the Senate, and 800 for the use of the Appraisers.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act for the relief of the Susquehanna Seminary," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the board of supervisors of the county of Westchester to purchase the Rapelyea or Pelham bridge,' passed April 5, 1860," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate a special board of trustees to hold and manage certain funds for the benefit of the First Methodist Episcopal church, John street, New York city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams presented the report of the Commissioners named in chapter 177 of the Laws of 1858, in relation to the Montezuma Salt Springs, which was laid on the table and ordered printed.

(See Doc. No. 31.)

The Assembly returned the concurrent resolutions appointing Commissioners on the part of this State to meet Commissioners from other States in Washington on the 4th of February, with a message that they had concurred in the amendments of the Senate thereto.

Ordered, That the Clerk return said resolutions to the Assembly.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill to incorporate the Mutual Provident Association.

Mr. Bell gave notice that he would at an early day ask leave to introduce a bill respecting the appropriation of the waters of the Black river, for the use of the Black River canal, and the Erie canal feeders.

Mr. Ketcham gave notice that he would at an early day ask leave to introduce a bill in relation to the fare and freight of the Flushing and New York railroad.

By unanimous consent, Mr. Hammond offered the following preamble and resolutions:

Whereas, The proceedings of all representative bodies should be open and free of access to their constituencies; and whereas, secret deliberations and consultations which control or influence the final action of such bodies, are opposed to the spirit and genius of our institutions; therefore,

Resolved, (if the Assembly concur,) That the Commissioners appointed by the State of New York, in response to the resolutions of the Legislature of Virginia, be requested to procure the adoption of a rule providing that

such Convention shall be open and free of access to all citizens who may desire to be present during its deliberations.

Resolved, (if the Assembly concur,) That such Commissioners be requested to advise the Legislature of this State, from time to time, of the proceedings of said Convention, and to that end they are hereby authorized to employ a reporter or secretary at such a salary as they shall deem just, whose duty it shall be to prepare and transmit under direction of the Commissioners, a daily report of said proceedings to the President of the Senate and the Speaker of the House of Assembly.

Resolved, (if the Assembly concur,) That the Governor be requested to transmit a copy of these resolutions to each of the Commissioners from this State.

On motion of Mr. Hammond, and by unanimous consent, the rules were suspended, and said resolutions ordered to be considered immediately.

The President put the question whether the Senate would agree to said resolutions, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to incorporate an Institute of Technology, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the New York Navigation and Colonization company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to Quarantine and the removal thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate the German Hospital, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

In pursuance of previous notice, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 774 of the Laws of 1857, being an act in relation to the Coles or Harlem bridge, at the termination of the Third avenue, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act in relation to the sale of butts, barrels, hogsheads and casks, used by the manufacturers of malt liquors, and other persons and parties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Goss moved to take from the table the motion to reconsider the vote on the bill entitled "An act conferring upon the boards of supervisors of the several counties of this State additional powers of local legislation."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The Clerk was proceeding to the third reading of said bill, when

Mr. Blood moved to recommit, with instructions to amend by striking out the counties of "Saratoga, Montgomery, Fulton and Hamilton."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, reported back said bill with amendments, as directed by the Senate.

On motion of Mr. Ketcham, and by unanimous consent, said bill was amended by striking out the counties of "Dutchess and Columbia."

Mr. Munroe moved to recommit said bill with instructions to amend by striking out the county of "Onondaga."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, reported back said bill with amendments, as directed by the Senate.

Ordered, That said bill be read a third time.

The hour of fifteen minutes to 12 having arrived, the President announced the special order, being the bill entitled as follows:

"An act to provide arms and equipments for the militia of the State."

Mr. Spinola moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act conferring upon the boards of supervisors of the several counties of this State additional powers of local legislation," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lawrence	J. M. Murphy	Botch	
Connolly	Hillhouse	Manierre	P. P. Murphy	Spinola	
Gardiner	Ketcham	Montgomery	Prosser	Truman	
Goss	Lapham	Munroe	Ramsey	Williams	20

FOR THE NEGATIVE.

Abell	Fiero	Richmond	Robertson	Warner	7
Bell	Grant				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

When the name of Mr. Blood was called, and being absent—

Mr. Lapham moved that the Sergeant-at-Arms be requested to invite him in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved that Mr. McGraw be also sent for.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Sergeant-at-Arms having appeared at the bar of the Senate with Mr. Blood, and that Senator having rendered his excuse—

Mr. Ramsey moved that his excuse be accepted.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

When the name of Mr. Richmond was called, that Senator moved that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Fiero moved that further proceedings in relation to sending for absent Senators, be dispensed with.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lapham moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Fiero, and it was decided in the affirmative.

The hour of 12 o'clock having arrived, the President announced that the Senate would go into executive session.

After some time spent therein, the doors were opened, and legislative business resumed.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act to provide arms and equipments for the militia of the State."

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Spinola moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, when the vote was as follows:

FOR THE AFFIRMATIVE.

Abell	Colvin	Grant	McGraw	Spinola	
Bell	Connolly	Hillhouse	Richmond	Williams	
Blood	Gardiner	Lawrence	Robertson		14

FOR THE NEGATIVE.

Fiero	Ketcham	Montgomery	Prosser	Truman	
Goss	Lapham	J. M. Murphy	Ramsey	Warner	
Hammond	Manierre	P. P. Murphy	Rotch		14

There being a tie, the President gave the casting vote in the negative, and declared the motion lost.

Mr. Spinola moved to reconsider the vote directing the question on ordering said bill to a third reading to be taken at 2 o'clock to-day, without delay or debate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to take the question at 2 o'clock, and it was decided in the negative.

Mr. Truman moved to make said bill the special order to-morrow, immediately after reading the journal.

Mr. Spinola moved to amend so as to refer to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Prosser moved to amend by adding "and that the consideration of said bill be continued until disposed of."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	P. P. Murphy	Rotch
Bell	Hillhouse	Manierre	Prosser	Truman

Fiero Goss	Ketcham Lapham	Montgomery J. M. Murphy	Ramsey Robertson	Warner Williams	20
FOR THE NEGATIVE.					
Blood Colvin	Connolly Gardiner	Grant Lawrence	Richmond	Spinola	8

Mr. Spinola moved to amend by striking out "immediately after reading the journal," and inserting in lieu thereof "immediately after reports of standing committees."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Truman, as amended, and it was decided in the affirmative.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to amend an act to incorporate the Long Island steamboat company, passed April 11, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

On motion of Mr. Truman, the Senate adjourned.

THURSDAY, FEBRUARY 7, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Halley.

The journal of yesterday was read and approved.

Mr. Williams presented a petition of citizens of Lyons, Wayne county, for an extension of the accommodations of the Western House of Refuge, so as to provide for juvenile female delinquents, which was read and referred to the committee on State prisons.

Also, a petition of sundry citizens of Cayuga county, veterans of the war of 1812, praying that the business of the Commission in relation to their claims may be brought to a speedy close, which was read and referred to the committee on militia and public defence.

Mr. Robertson presented a petition of farmers of Westchester county, in relation to milk freight on Harlem railroad, which was read and committed to the committee of the whole.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. McGraw presented a petition of John J. Foote and other citizens of Madison county, for the extension of the Chenango canal, which was read and committed to the committee of the whole.

Mr. J. M. Murphy presented a petition of Mary Jane Ratz, widow of Gustavus A. Ratz, in relation to a balance due by the State to her late husband, which was read and referred to the committee on claims.

Mr. Rotch presented a remonstrance of citizens of Herkimer county, against proposed alterations of the poor laws, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Abell, from the committee on railroads, to which was referred the bill entitled "An act supplementary to the charter of the New York and Flushing railroad company," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Abell, from the committee on railroads, to which was referred the bill entitled "An act to authorize the Brooklyn Central and Jamaica railroad company to extend their tracks through Furman street to Fulton ferry," reported in writing, in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

(See Doc. No. 32.)

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act for the relief of the New York Inebriate Asylum, and for other purposes," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the support of the poor, in the county of Herkimer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act in relation to attempts to escape by convicts in State prisons."

Mr. Truman, from the committee on claims, to which was referred the bill entitled "An act to authorize the appraisal and payment of damages to Skillman D. Dickerson and to Noah H. Osborne," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the petition of Horace Pierce and others, for relief, reported by bill entitled "An act for the relief of Horace Pierce, W. W. Baker, B. A. Son, Wm. Van Horn and Roswell Kelsey," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Truman from the committee on claims, to which was referred the petition of A. S. Delano and others, for appraisal of canal damages, reported by bill entitled "An act authorizing the appraisal and payment of damages to A. S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal, in the town of Royalton, Niagara county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The President announced the special order, being the bill entitled as follows:

"An act to provide arms and equipments for the militia of the State."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported that they had gone through with the same, made sundry amendments thereto, and amended the title so as to read as follows: "An act to provide arms and equipments for the militia of the State, and for the public defence," and directed the chairman to report the same to the Senate, and as amended, recommend its passage.

Mr. Colvin renewed the motion made in committee of the whole, to amend by striking out the words "five hundred" and inserting in lieu thereof "two hundred."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood
Colvin
Gardiner

Grant
Ketcham
Lawrence

McGraw
Montgomery

Prosser
Richmond

Spinola
Warner

FOR THE NEGATIVE.

Bell	Goss	J. M. Murphy	Robertson	Truman	
Connolly	Hammond	P. P. Murphy	Rotch	Williams	
Fiero	Hillhouse	Ramsey			13

Mr. Colvin renewed the motion made in committee of the whole, to amend by striking out "five hundred" and inserting in lieu thereof "two hundred and fifty."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	Grant	McGraw	Richmond	
Bell	Gardiner	Ketcham	Montgomery	Spinola	
Blood	Goss	Lawrence	Prosser	Warner	
Colvin					16

FOR THE NEGATIVE.

Fiero	Hillhouse	P. P. Murphy	Rotch	Williams	
Hammond	J. M. Murphy	Ramsey	Truman		9

When the name of Mr. Abell was called, that Senator being absent, Mr. Hammond moved that the Sergeant-at-Arms be requested to invite him in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Sergeant-at-Arms having appeared at the bar of the Senate with Mr. Abell, and that Senator having rendered his excuse, Mr. Lawrence moved that he be excused.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to reconsider the vote on striking out "five hundred" and inserting "two hundred and fifty."

Mr. Spinola moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Connolly	Gardiner	Lawrence	Spinola	5
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FOR THE NEGATIVE.

Abell	Hammond	P. P. Murphy	Richmond	Truman	
Bell	Hillhouse	Prosser	Robertson	Warner	
Fiero	Montgomery	Ramsey	Rotch	Williams	
Goss	J. M. Murphy				17

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	P. P. Murphy	Rotch	
Fiero	Hillhouse	Montgomery	Ramsey	Truman	
Goss	Ketcham	J. M. Murphy	Robertson	Williams	15

FOR THE NEGATIVE.

Bell	Connolly	Grant	Prosser	Spinola	
Colvin	Gardiner	Lawrence	Richmond	Warner	10

When the names of Messrs. Grant, Blood and Kelly were called, those Senators being absent, Mr. Lawrence moved that the Sergeant-at-Arms be requested to invite them in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Sergeant-at-Arms having appeared at the bar of the Senate with Mr. Grant, and that Senator having rendered his excuse, Mr. Connolly moved that he be excused.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Sergeant-at-Arms returned and reported that the two other absent Senators had gone to New York.

Mr. Truman moved that further proceedings in relation to absent Senators be suspended for the present.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to strike out "five hundred" and insert "two hundred and fifty," and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	Prosser	Spinola	
Colvin	Grant	Montgomery	Richmond	Warner	
Connolly	Ketcham				12

FOR THE NEGATIVE.

Abell	Hammond	J. M. Murphy	Robertson	Truman	
Fiero	Hillhouse	P. P. Murphy	Rotch	Williams	
Goss	McGraw	Ramsey			13

Mr. Lawrence moved to recommit said bill, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Montgomery	Ramsey	Truman	
Bell	Hillhouse	J. M. Murphy	Richmond	Warner	
Fiero	Ketcham	P. P. Murphy	Robertson	Williams	
Goss	McGraw	Prosser	Rotch		19

FOR THE NEGATIVE.

Colvin	Connolly	Gardiner	Grant	Lawrence	
Spinola					6

Ordered, That said bill be engrossed for a third reading.

Mr. Truman moved to reconsider the vote taken yesterday, that the consideration of said bill be continued to-day until disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Abell	Connolly	Grant	Lawrence	Truman	
Colvin	Gardiner	Ketcham			8

FOR THE NEGATIVE.

Bell	Hillhouse	J. M. Murphy	Ramsey	Spinola	
Fiero	McGraw	P. P. Murphy	Richmond	Warner	
Goss	Montgomery	Prosser	Rotch	Williams	15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Montgomery	Ramsey	Truman	
Bell	Hillhouse	J. M. Murphy	Richmond	Warner	
Fiero	Ketcham	P. P. Murphy	Robertson	Williams	
Goss	McGraw	Prosser	Rotch		19

FOR THE NEGATIVE.

Colvin	Gardiner	Grant	Lawrence	Spinola	
Connolly					6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President presented a communication from Greene C. Bronson, counsel to the corporation of the city of New York, in reply to a resolution of the Senate in relation to the persons employed as commissioners and clerks in opening streets since, the first of January, 1860, with the amount of compensation paid to each, which was laid on the table and ordered printed.

(See Doc. No. 34.)

The President also presented a communication from his Excellency the Governor, in the words following, to wit:

ALBANY, February 7, 1861

TO THE SENATE—I transmit herewith, a copy of a document received by me, under seal of the House of Commons of North Carolina, returning the resolutions of the Legislature of this State.

E. D. MORGAN.

HOUSE OF COMMONS OF NORTH CAROLINA, }
January 29, 1861.

A message, No. 15, having been received from his Excellency the Governor, transmitting certain resolutions of the Legislatures of Ohio and New York upon federal affairs, and the same being read, together with the resolutions aforesaid, on motion of Mr. Bridges, "*Ordered*, that the said resolutions be returned to his Excellency the Governor of North Carolina, with the request that he return them to the States respectively that sent them."

SIR—I have the honor to communicate to your Excellency for the information of the Governors of New York and Ohio, a copy of the above resolution of the House, in reply to the communication from those States, upon the subject of federal coercion, and to state that the House adopt your Excellency's recommendations.

The New York resolutions here referred to are enclosed.

[L. S.]

EDWARD CANTWELL, C. H. C.

On motion of Mr. Grant, said communication was referred to the committee on militia and public defence.

The President also presented a communication from his Excellency the Governor, in the words following, to wit:

ALBANY, February 7, 1861.

TO THE SENATE—I submit herewith, a copy of a communication received by me from the Hon. John A. Dix, Secretary of the Treasury.

The high source from whence it proceeds, and the importance of the subject to which it relates, entitles it to your early consideration.

E. D. MORGAN.

TREASURY DEPARTMENT, }
WASHINGTON, February 4, 1861. }

His Excellency EDWIN D. MORGAN,

Governor of the State of New York:

SIR—In a letter to the committee of ways and means of the House of Representatives, of the 18th ultimo, I suggested that the public moneys belonging to the United States, deposited with the States for safe keeping, under the act of Congress of the 23d of June, 1836, might be made the basis of a loan to meet the expenditures of the Federal Government, and become the means of sustaining the public credit in the present disordered condition of the commercial and political affairs of the country. I observe that a proposition has been introduced into the Legislature of New York to guaranty stocks of the United States to the amount of the moneys thus deposited with the State. This is in strict accordance with the suggestion I

made. Should the measure be adopted, and I trust it may, it could not fail to have a most salutary influence, by upholding, as New York has done in other trying emergencies, the credit and the authority of the General Government.

I am very respectfully, your obedient,

JOHN A. DIX, *Secretary of the Treasury.*

Said communication was referred to the committee on finance.

The President announced the special order, being the consideration of the annual message of his Excellency the Governor.

Mr. Truman moved to postpone said special order until Tuesday next at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lawrence, from the committee on claims, to which was referred the petition of J. Blackwell, that certain moneys expended by him in behalf of the State be refunded, reported by bill entitled "An act for the relief of Josiah Blackwell," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. P. P. Murphy moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The order of business of reports of select committees having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The order of business of messages from the Governor having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. P. P. Murphy moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	McGraw	Montgomery	P. P. Murphy	Ramsey	6
Grant					

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	Richmond	Truman	
Colvin	Goss	Lawrence	Robertson	Warner	
Connolly	Hammond	Manierre	Spinola	Williams	18
Fiero	Hillhouse	Prosser			

The order of business of messages from the Assembly having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The order of business of notices of bills having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The order of business of third reading of bills having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

Mr. Truman offered the following resolution :

Resolved, That when the Senate adjourns on Friday, it adjourn to meet on Monday evening at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Lawrence	Prosser	Truman	
Connolly	Hillhouse	Montgomery	Richmond	Williams	
Gardiner	Ketcham	J. M. Murphy	Spinola		14

FOR THE NEGATIVE.

Bell	Goss	McGraw	Ramsey	Rotch	
Colvin	Grant	P. P. Murphy	Robertson	Warner	
Fiero					11

Mr. J. M. Murphy moved that the bill entitled "An act to regulate the rate of milk freight on the New York and Harlem railroad," be recommit-
ted to the committee on railroads, and that the committee be requested to report the bill back as early as Tuesday, and retain its place on general orders.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Montgomery—

Resolved, That the Canal Board be respectfully requested to report to the Legislature the action of the Board upon the claim of Horace Allen, as directed by chapter 45 of the Laws of 1858.

Mr. Montgomery, for Mr. Lapham, offered the following resolution :

Resolved, That the Canal Board be respectfully requested to report to the Senate whether the appropriation contained in chapter 213, Laws of 1860, for improvement of Champlain canal, and Glens Falls feeder, and to rebuild a residue of locks on said canal, and to stop leaks in Glens Falls feeder, has been expended or any part thereof, and if so how, and under whose direction.

Mr. Abell moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Spinola, the Senate adjourned.

FRIDAY, FEBRUARY 8, 1861.

The Senate met pursuant to adjournment.

The President being absent, the Clerk called the Senate to order.

On motion of Mr. McGraw—

Resolved, That Hon. Ephraim Goss be chosen President *pro tem* for this day.

Prayer by Rev. Mr. Howlett.

The journal of yesterday was read and approved.

By unanimous consent, Mr. Manierre moved that his name be recorded in the affirmative on the bill entitled "An act to provide arms and equipments for the militia of the State, and for the public defence."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Messrs. McGraw, Rotch, Truman and Ramsey, presented four several petitions, for State aid to build the Albany and Susquehanna railroad, which were read and committed to the committee of the whole.

Mr. Manierre presented four petitions from members of military companies in the city of New York, for limitation of term of office in the militia, which were read and referred to the committee on militia and public defence.

Mr. Bell presented a petition of the fire department of the village of Watertown, for an amendment of their charter, which was read and referred to the committee on the incorporation of cities and villages.

Mr. J. M. Murphy presented two petitions from members of 8th and 11th regiments, for limitation of term of office in militia, which were read and referred to the committee on militia and public defence.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to enable the electors of the town of Poughkeepsie to vote by districts for town officers."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Hillhouse, from the committee on finance, to which was referred the resolutions of the Senate in relation to the United States Deposit Fund, reported in writing, and by bill entitled "An act to aid the government of the United States in obtaining a loan of money upon its bonds," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 33.)

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the petition of the supervisors of the county of Cortland for an amendment to the act organizing the State Lunatic Asylum, passed April 7, 1842, reported by bill entitled "An act to amend an act entitled 'An act to organize the State Lunatic Asylum, and more effectually to provide for the care, maintenance and recovery of the insane,' passed April 7, 1860," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, orphan asylum, and missionary societies," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the majority of the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the common council of the city of Hudson to assess the balance of moneys uncollected for the construction of a sewer in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act to incorporate the Flushing Fair Ground company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to fix the salary of the city judge of the city of Brooklyn," reported in favor of the passage of the same, with an amendment.

On motion of Mr. Ramsey and by unanimous consent, the rules were suspended and said bill recommitted to the committee on the judiciary, to report complete.

Mr. Prosser, from the committee on canals, to which was recommitted the bill entitled "An act concerning the navigation of the canals and the

collection of tolls," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Hammond moved that rule eight be suspended for the purpose of enabling him to offer the following resolution:

Resolved, That the Clerk of the Senate be authorized and directed to furnish an additional chair for a reporter, for the accommodation of John C. Jacobs, reporter for the New York Express.

The President put the question whether the Senate would agree to said motion to suspend the rule, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The President presented the annual report of the Physician to the Marine Hospital at Staten Island, for the year 1860, which was laid on the table and ordered printed.

(See Doc. No. 35.)

Mr. Prosser gave notice that he would at an early day ask leave to introduce a bill in relation to the enlarged canals of the State.

Mr. Hillhouse gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors, passed April 26, 1857."

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act regulating the number of trustees in each school district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act relative to Saint Stephen's College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to incorporate the Mutual Provident Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850,' and an act amendatory thereto, passed April 4, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

In pursuance of previous notice, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to revive and extend an act respecting the appropriation of the waters of the Black river for the use of the Black river canal and Erie canal feeder," passed April 3, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The bill entitled "An act in relation to attempts to escape by convicts in State prisons," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present.

FOR THE AFFIRMATIVE.

Abell	Gardiner	Hillhouse	Montgomery	Richmond
Bell	Goss	Ketcham	J. M. Murphy	Rotch
Connolly	Grant	Lawrence	Prosser	Warner
Fiero	Hammond	McGraw	Ramsey	Williams

20

FOR THE NEGATIVE.

Spinola	Truman
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Williams offered the following preamble and resolution :

Whereas, By joint resolution of the Senate and Assembly of the State of New York, Addison Gardiner was appointed a Commissioner on the part of this State to meet Commissioners from other States in the city of Washington, on the 4th day of February instant, or as soon thereafter as Commissioners should be appointed by a majority of the States of the Union, to confer with them upon the complaints of any part of the country and suggest such remedies therefor as to them shall seem fit and proper ; and whereas, the said Addison Gardiner has declined to accept the appointment as such Commissioner : therefore—

Resolved, (if the Assembly concur,) That Thurlow Weed be, and he is hereby appointed a Commissioner in place of Addison Gardiner, who has declined to accept the appointment.

On motion of Mr. Hammond and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Rotch
Bell	Goss	Lawrence	Prosser	Spinola
Colvin	Grant	McGraw	Ramsey	Truman
Connolly	Hammond	Manierre	Richmond	Warner
Fiero	Hillhouse	Montgomery	Robertson	Williams

25

On motion of Mr. Hammond and by unanimous consent, the rules were suspended, and said resolution ordered transmitted to the Assembly immediately, with the request that that body give it immediate consideration.

A message was received and read, from his Excellency the Governor, in the words following, to wit :

ALBANY, February 8, 1861.

To THE SENATE—I transmit herewith, a copy of certain joint resolutions adopted on the 31st ultimo, by the General Assembly of Indiana, received by me from the Governor of that State.

E. D. MORGAN. .

Whereas, the State of Virginia has transmitted to this State, resolutions adopted by the General Assembly, inviting all such States as are willing to unite with her in an earnest effort to adjust the present unhappy controversies in the spirit in which the Constitution was originally formed, to send Commissioners to meet those appointed by that State in Convention, to be held in the city of Washington on the 4th of February next, to consider, and, if possible, to agree upon some suitable adjustment ; and,

Whereas, some of the States to which invitations were extended by the State of Virginia, have already responded and appointed their Commissioners ; therefore,

Resolved, By the General Assembly of the State of Indiana, that we accept the invitation of the State of Virginia in the true spirit of fraternal

feeling, and that the Governor of this State is hereby directed and empowered to appoint five Commissioners to meet the Commissioners appointed by our sister States, to consult upon the unhappy differences now dividing the country; but the said Commissioners shall take no action that will commit this State, until nineteen of the States of the Union are represented, and without first having communicated with this General Assembly in regard to such action, and having received the authority of the same so to commit the State.

Resolved, That while we are not prepared to assent to the terms of settlement proposed by the State of Virginia, and are fully satisfied that the Constitution, if fairly interpreted and obeyed, contains ample provisions within itself for the correction of the evils complained of; still, with a disposition to reciprocate the patriotic desire of the State of Virginia, and to have harmoniously adjusted all differences existing between the States of the Union, this General Assembly is induced to respond to the invitation of Virginia by the appointment of the Commissioners herein provided for, but as the time fixed for the Convention to assemble is so near at hand that the States cannot be represented, it is expected that the Commissioners on behalf of this State will insist that the Convention adjourn until such time as the States shall have an opportunity of being represented.

Resolved, That his Excellency the Governor is requested to transmit copies of these resolutions to the Executives of each of the States of the Union.

CYRUS M. ALLEN,

Speaker of the House of Representatives.

JNO. R. CRAVENS,

President of the Senate.

Mr. Ketcham offered the following resolution:

Resolved, That there be printed for the use of the Senate 500 extra copies of each of the annual reports of the Secretary of State, on criminal and poor statistics.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Prosser offered the following resolution:

Resolved, That there be printed for the use of the Senate 2,000 extra copies of the annual report of the Canal Commissioners, for 1860.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Montgomery moved to take from the table the following resolution:

Resolved, That the Canal Board be respectfully requested to report to the Senate whether the appropriation contained in chapter 213, Laws of 1860, for improvement of Champlain canal and Glens Falls feeder, and to rebuild residue of locks on said canal, and to stop leaks in Glens Falls feeder, has been expended, or any part thereof, and if so how, and under whose direction.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hammond offered the following resolution:

Resolved, That the bill to impose tolls on freight transported on certain railroads, be taken from the general orders and referred to the finance committee, and that parties interested have an opportunity to be heard on the subject, and to retain its place on general orders.

Mr. Prosser moved to amend by adding "and that the committee be instructed to report in the course of next week."

Mr. Ramsey moved further to amend so as to associate the canal committee with the finance committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Prosser, as amended, and it was decided in the negative.

Mr. Warner moved to amend, "that they be required to report by the 20th of this month."

Mr. Colvin moved further to amend by striking out "20th of this month," and inserting in lieu thereof "on the 2d Monday of April next."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Spinola					2
FOR THE NEGATIVE.						
Abell	Goss	McGraw	P. P. Murphy	Rotch		
Bell	Hammond	Manierre	Prosser	Truman		
Connolly	Hillhouse	Montgomery	Ramsey	Warner		
Fiero	Ketcham	J. M. Murphy	Richmond	Williams		
Gardiner	Lawrence					22

By unanimous consent, Mr. Prosser had leave to withdraw his motion.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Spinola offered the following resolution:

Resolved, That the joint committee to whom was referred the bill tolling the railroads of the State, be and they are hereby directed to report upon the propriety of establishing discriminating tolls on the canals of the State, and that they report upon this subject at the same time they do on the toll bill.

Mr. McGraw moved to amend by striking out all after the word "Resolved," and inserting in lieu thereof as follows:

"That a select committee of three be appointed, of which Mr. Spinola shall be chairman, who shall examine and report upon the propriety of discriminating tolls on the canals of the State, and shall report at the same time as the joint committee on the toll bill."

Mr. Ramsey moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Fiero	Lawrence	Ramsey	Rotch	Warner	
Goss	P. P. Murphy	Richmond			8

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Spinola	
Bell	Grant	McGraw	Prosser	Truman	
Colvin	Hammond	Manierre	Robertson	Williams	
Connolly	Hillhouse	Montgomery			18

When the name of Mr. Robertson was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to said motion of Mr. McGraw, to amend, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolution, as amended, and it was decided in the affirmative.

Mr. Connolly offered the following resolution:

Resolved, That the following entitled bills be recommitted to the judiciary committee, to wit:

"An act relating to the Marine Court of the city of New York, to the number of justices, their election and term of office."

"An act relating to the Superior Court of the city of New York, to the number of justices thereof, their election and term of office."

"An act relating to the Court of Common Pleas for the city and county of New York, to the number of judges, their election and term of office."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. P. P. Murphy moved that his name be recorded in the affirmative on the adoption of the resolution appointing Thurlow Weed a Commissioner to Washington.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Grant offered the following resolution:

Resolved, That a respectful message be sent to Gov. Morgan, asking an answer to the following questions:

1. How many Harbor Masters are there in the city of New York?
2. Have you any knowledge of charges of malfeasance in office of any of the said Harbor Masters or Port Wardens of said city?
3. Has it in any way come to your knowledge that any of the above named officers are or have been under indictment, and if so for what offence?
4. What amount of fees was received by said Harbor Masters for the year ending Dec. 31, 1860?

Mr. Prosser raised the point of order that said resolution could not be considered except in executive session.

The President decided the point of order not well taken.

Mr. McGraw moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, when the vote was as follows:

FOR THE AFFIRMATIVE.

Abell	Hillhouse	P. P. Murphy	Richmond	Rotch
Bell	McGraw	Prosser	Robertson	Warner
Goss	Montgomery	Ramsey		

13

FOR THE NEGATIVE.

Colvin	Gardiner	Ketcham	J. M. Murphy	Truman
Connolly	Grant	Lawrence	Spinola	Williams
Fiero	Hammond	Manierre		

13

There being a tie, the President declared the motion lost.

Mr. Abell moved to amend by adding "and that the Senate go into executive session immediately thereon."

Mr. McGraw moved to amend so as to postpone the consideration of said resolution until next executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	McGraw	Ramsey	Rotch
Bell	Hillhouse	Montgomery	Richmond	Warner
Fiero	Ketcham	Prosser	Robertson	

14

FOR THE NEGATIVE.

Colvin	Grant	Manierre	P. P. Murphy	Truman
Connolly	Hammond	J. M. Murphy	Spinola	Williams
Gardiner	Lawrence			

12

The Assembly returned the concurrent resolution appointing Thurlow Weed a Commissioner to Washington, with a message that they had concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said resolution to the Secretary of State.

Mr. Colvin moved to take from the table the following resolutions, and that the same be made the special order for Wednesday next, immediately after executive session, to wit :

Whereas, The Constitution of the United States was ordained by and for the people thereof ; and *whereas*, it establishes the paramount authority of the government, and provides for the perpetuity of the Union ; therefore,

Resolved, (if the Assembly concur,) That the people of this State, irrespective of party distinctions, do hereby declare, that the right of the people of a single State, or of several States, to absolve themselves at will from their solemn obligations to the Federal Union, cannot be acknowledged. The principles and the objects which the general government was formed to secure, are repugnant to such authority, and the exercise thereof where-soever or howsoever attempted, is treasonable, and must be resisted by all the remedies provided in the Constitution. The first duty, therefore, of the citizens of New York, is to be directed to the preservation of the Union.

Resolved, (if the Assembly concur,) That the Legislature will sustain the Executive of the State in the offer and pledge of the military power and resources of the State, and that they will "provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," whether within or without the State.

Resolved, (if the Assembly concur,) That the State of New York is faithful to the Federal Union, and will make every needful sacrifice to maintain it in its integrity ; at the same time, New York will make equal sacrifices to support the several States in all their constitutional rights.

Resolved, (if the Assembly concur,) That Congress has no power to interfere with slavery in the several States, or in any of them.

Resolved, (if the Assembly concur,) That although we believe Congress possesses the power to abolish slavery in the District of Columbia, yet it is inexpedient to exercise such power unless upon the following conditions :

1. That the abolition should be on the vote of a majority of qualified voters of the district, and with the consent of the State of Maryland.
2. That it should be gradual.
3. That compensation should be made to unwilling owners.

Resolved, (if the Assembly concur,) That Congress should not inhibit or impair the inter-State traffic of persons held to service or labor under the laws of the several States, or any of them.

Resolved, (if the Assembly concur,) That, while the rendition of fugitives from service or labor is a plain constitutional obligation, and should be faithfully observed, the law of 1850 contains provisions which seriously obstruct, if they do not prevent its execution. These should be modified.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Grant offered the following resolution :

Resolved, That a committee of three be appointed by the Chair to investigate the charges made against the New York Harbor Masters, with power to send for persons and papers, and to report in executive session.

Mr. Grant moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ketcham presented the report of the Commissioners appointed to as-

certain and settle the boundary line between the States of New York and Connecticut, which was laid on the table and ordered printed.

(See Doc. No. 36.)

On motion of Mr. Rotch—

Resolved, That the Assembly bill entitled "An act in relation to the support of the poor in the county of Herkimer," be referred back to the committee on internal affairs of towns and counties, that parties interested may be heard.

Mr. J. M. Murphy offered the following resolution :

Resolved, That the following entitled bills be committed to the first committee of the whole, to wit :

"An act for the relief of Maria Murphy and Ann Kerrigan."

"An act to amend the charter of the New York Life Insurance company."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President presented a communication from the Canal Board in reply to a resolution of the Senate, in relation to the claim of Horace Allen, which was laid on the table and ordered printed.

(See Doc. No. 37.)

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act to amend section one of an act to provide for the incorporation of religious societies, passed April 5, 1813," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Hebrew Reform and Benevolent Society of the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act for the more effectual suppression of gambling in the towns, villages and cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hillhouse asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on that subject.

Mr. Truman offered the following resolution :

Resolved, That the bill entitled "An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

By unanimous consent, Mr. Williams moved that the bill entitled "An act to incorporate the Wayne County Savings bank, at Lyons," be recommended to the committee on banks, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Truman, the Senate adjourned.

MONDAY, FEBRUARY 11, 1861,

HALF-PAST 7 O'CLOCK.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Fulton.

The journal of Friday, was read and approved.

Mr. Truman presented a petition of inhabitants of Broome county, for aid to Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Montgomery presented a petition of Seneca Nation of Indians, to have certain causes preferred on the calendar of the Court of Appeals, which was read and referred to the committee on the judiciary.

Mr. Fiero presented three remonstrances of citizens of Greene county, against State aid to build the Albany and Susquehanna railroad, which were read and committed to the committee of the whole.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build the Albany and Susquehanna railroad, which was read and committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Secretary of State on criminal and poor statistics, reported in favor of the adoption of the following resolution :

Resolved, That there be printed for the use of the Senate 500 extra copies of each of the annual reports of the Secretary of State, on criminal and poor statistics.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Canal Commissioners, reported in favor of the adoption of the following resolution :

Resolved, That there be printed for the use of the Senate 2,000 extra copies of the annual report of the Canal Commissioners for 1860.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Munroe, from the committee on banks, to which was referred the bill entitled "An act to incorporate the Wayne County Savings bank, at Lyons," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills :

"An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of poor in Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act in relation to the auditing of accounts by the boards of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess and Niagara, and the duties of certain officers of said counties in connection therewith," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to provide for furnishing the district school libraries of this State with the State Map and Gazetteer.

Mr. Montgomery gave notice that he would at an early day ask leave to introduce a bill to relieve the Seneca nation of Indians by preferring certain causes on the calendar of the Court of Appeals.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill to amend section 99, chapter 16, part 1st of the Revised Statutes.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act in relation to certain sales made by one of the Commissioners for loaning certain moneys of the United States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend the Revised Statutes in respect to highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to authorize the Superintendent of the Onondaga salt springs to exchange certain lands lying in Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

Mr. Hillhouse moved that the bill entitled "An act to aid the government of the United States in obtaining a loan of money upon its bonds," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Munroe offered the following resolution:

Resolved, That 1,000 extra copies of the report of the trustees of the Asylum for Idiots, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Goss offered the following resolutions:

Resolved, (if the Assembly concur,) That the Constitution of this State be amended as follows:

The sale of intoxicating liquors, as a beverage, is hereby prohibited; and no law shall be enacted, or be in force, after the adoption of this amendment, to authorize such sale, and the Legislature shall by law prescribe the necessary fines and penalties for any violation of this provision.

Resolved, (if the Assembly concur,) That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section one, of article thirteen, of the Constitution, it be published for three months previous to the time of such election.

Ordered, That said resolutions be laid on the table.

Mr. Goss moved that said resolutions be made the special order for Wednesday of next week, immediately after executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsey moved to recommit to the committee on the judiciary the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lawrence moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to aid the government of the United States in obtaining a loan of money upon its bonds."

"An act to facilitate the construction of the Albany and Susquehanna railroad."

"An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line."

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lawrence, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, *February 11, 1861.*

TO THE SENATE—I have received from the President elect, a letter, of which the following is a copy, accepting the hospitalities tendered him by concurrent resolutions of the Legislature, with the request, as will be seen, that the ceremonies, if any, shall be only such as will occupy the least time possible.

It is understood that Mr. Lincoln will reach Buffalo on Saturday of the present week, where he will wait until Monday morning.

It is proper to add that I have detailed a portion of my staff to meet him at Buffalo, and to escort him to this city, where, it is expected, he will arrive on the afternoon of Monday the 18th instant, at about 3 o'clock.

E. D. MORGAN.

SPRINGFIELD, ILLINOIS, *February 4, 1861.*

SIR—Your letter of the 30th ultimo, inviting me on behalf of the Legislature of New York, to pass through that State on my route to Washington, and tendering me the hospitalities of her authorities and people, has been duly received. With feelings of deep gratitude to you and them, for this testimonial of regard and esteem, I beg you to notify them that I accept the invitation so kindly extended.

Your obedient servant,

A. LINCOLN.

P. S.—Please let ceremonies be only such as to take the least time possible.

A. L.

His Excellency E. D. MORGAN, *Governor of New York.*

A further message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, February 8, 1861.

TO THE SENATE—I submit herewith, a copy of a letter received by me from Mr. Thurlow Weed, declining the appointment conferred upon him by the Legislature, as a Commissioner on the part of this State to the Washington Convention.

E. D. MORGAN.

ALBANY, February 8, 1861.

TO HIS EXCELLENCY GOV. MORGAN :

DEAR SIR—I have just received the resolutions of the Senate and Assembly appointing me a Commissioner to meet Commissioners from other States now convened in the city of Washington, upon the invitation of the Legislature of the State of Virginia.

Though sympathizing warmly in this beneficent movement, and intensely anxious that it may avert the worst of national calamities, imperative considerations constrain me to decline the appointment.

In communicating this determination to yourself and to the Legislature, I beg to express a deep and grateful sense of the honor and the obligation which so flattering an expression of confidence imposes upon

Yours truly,

THURLOW WEED.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution :

Resolved, (if the Senate concur,) That a joint committee consisting of five members of this House and three members of the Senate, be appointed to make arrangements for the proper reception of his Excellency the President elect, during his stay in this city.

Ordered, That Messrs. Ball, Ferrey, Prendergast, Bergen and Provost, be appointed as such committee on the part of the Assembly.

On motion of Mr. Ferry and by unanimous consent, the rules were suspended in order that said resolution may be immediately considered.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

On motion of Mr. Lawrence, the Senate adjourned.

TUESDAY, FEBRUARY 12, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Larimore.

The journal of yesterday was read and approved.

The President appointed as the two additional members of the select committee under the resolution of Mr. Spinola in regard to discriminating canal tolls, Messrs. P. P. Murphy and Montgomery.

The President also appointed as the committee on the part of the Senate to make arrangements for the proper reception of the President elect, during his stay in this city, Messrs. Ferry, Ketcham and Connolly.

The President presented a communication in the words following, to wit :
ALBANY, February 12, 1861.

Hon. ROBERT CAMPBELL, *President of the Senate* :

SIR—I am requested by the executive committee of the New York State Agricultural Society, most respectfully to invite the Hon. the Senate to

attend the annual meeting of the Society, to be held in the Assembly chamber, on Wednesday (the 13th,) afternoon and evening.

I am most respectfully, your obedient servant,

B. P. JOHNSON, *Cor. Sec'y.*

On motion of Mr. Goss, said invitation was accepted.

Mr. P. P. Murphy presented a petition of Benjamin F. Gaskill, John Thorn and others, of Niagara county, for canal damages, which was read and referred to the committee on claims.

Mr. Truman presented a petition of soldiers of the war of 1812, residents of Tompkins county, that the business of the commission in relation to their claims may be brought to a speedy close, which was read and referred to the committee on militia and public defence.

Also, a petition of citizens of Tioga county, for aid to the Susquehanna Seminary, which was read and committed to the committee of the whole.

Mr. Ramsey presented a petition of citizens of Schoharie county, for aid to Albany and Susquehanna railroad, which was laid on the table.

Mr. Spinola presented a petition of citizens of New York, to submit the Crittenden proposition to the people, which was read and referred to the select committee on federal relations.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge, at the terminus of the Third avenue in the city of New York,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the trustees of the Asylum for Idiots, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the report of the trustees of the Asylum for Idiots, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton to the North Branch canal at the State line."

"An act to aid the government of the United States in obtaining a loan of money upon its bonds."

"An act to facilitate the construction of the Albany and Susquehanna railroad."

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur.) That Francis Granger be, and he is hereby appointed a delegate on the part of this State to the Washington Convention, in place of Thurlow Weed, declined.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received and read, informing that they had concurred in the passage of the following entitled bill, without amendment:

"An act to amend chapter 432 of the Laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York.'"

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to extend the time for the collection of taxes in Oneida county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the charter of the village of Glens Falls, to regulate the sale of meat and fish in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Goss gave notice that he would at an early day ask leave to introduce a bill to prevent bribery and corruption.

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to incorporate the Metropolitan cab company.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill to alter the map of the city of New York.

In pursuance of previous notice, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act to relieve the Seneca Nation of Indians, by preferring certain causes on the calendar of the Court of Appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Ferry asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to organize the State Lunatic Asylum for Insane Convicts,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

The bill entitled "An act to aid the government of the United States in obtaining a loan of money upon its bonds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Goss	Montgomery	P. P. Murphy	Rotch
Connolly	Hillhouse	Munroe	Ramsey	Truman
Ferry	Kelly	J. M. Murphy	Richmond	Warner
Fiero	Manierre			

17

FOR THE NEGATIVE.

Blood	Lawrence	Robertson	Spinola	Williams
Grant	McGraw			

7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of Maria Murphy and Ann Kerrigan."

"An act in regard to divorces dissolving the marriage contract."

"An act to amend the charter of the New York Life Insurance company."

After some time spent therein, the President resumed the chair, and Mr. Hillhouse, from said committee, reported that they had gone through with

the first named bill, made sundry amendments thereto, and amended the title so as to read as follows: "An act for the relief of Maria Murphy and the heirs of Francis Kerrigan, deceased," and in favor of the passage of the same, as amended, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hillhouse, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Hillhouse, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to and said bill ordered engrossed for a third reading.

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

After debate thereon—

Mr. Spinola moved that the further consideration of said special order, be postponed until Thursday next at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Kelly asked and obtained leave to introduce a bill entitled "An act to amend chapter 509 of the Laws of 1860, entitled 'An act to enable the supervisors of the county of New York to raise money by tax for city purposes, and to regulate the expenditure thereof, and authorizing the board of supervisors of the city and county of New York to levy a tax for county purposes, and to regulate the expenditure thereof, and also to borrow money in anticipation of the collection of the said tax, and to issue county revenue bonds therefor,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Spinola moved that said bill be immediately printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to repeal part of an act passed April 15, 1858, entitled 'An act to amend an act to establish regulations for the port of New York,' passed April 16, 1857."

"An act to authorize the payment of interest on certain canal drafts, protested for non-payment."

"An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park.'"

After some time spent therein, the President resumed the chair, and Mr. Gardiner, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gardiner, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

On motion of Mr. P. P. Murphy, the Senate adjourned.

WEDNESDAY, FEBRUARY 13, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Magoon.

The journal of yesterday was read and approved.

Mr. Lapham presented a petition of Sarah T. Russell and Sarah E. Perkins, for the repayment of taxes on township No. 13, Totten and Crossfield's purchase, in the town of Johnsburgh, Warren county, which was read and referred to the committee on finance.

Also, a remonstrance of citizens of Glens Falls, against bill regulating sale of meat and fish in said village, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Lawrence presented a remonstrance of citizens of Brooklyn, against extension of tracks of Brooklyn Central and Jamaica railroad company through Furman street to Fulton ferry, which was read and committed to the committee of the whole.

Mr. Bell presented a petition of the board of supervisors of Jefferson county, for the passage of an act authorizing the transcribing of certain records in the clerks' offices of Herkimer and Oneida counties, which was read and referred to the committee on the judiciary.

Mr. Truman presented a petition of inhabitants of Broome county, for State aid to build Albany and Susquehanna railroad, which was laid on the table.

Mr. Ramsey presented a petition of citizens of Schoharie county, on same subject, which was laid on the table.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the German Hospital, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the petition of Oliver J. Wilcox, for relief, reported in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioner be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Jacob Houck, Peter Houck, and Catharine Ann Houck," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Jeremiah Van Buren," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act

entitled 'An act to incorporate the village of Jordan, passed May 2, 1835,' and the acts amendatory thereto," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the petition of trustees of village of Niagara Falls, for an amendment to the charter of said village, reported by bill entitled "An act to amend an act entitled 'An act to amend an act to provide for the incorporation of villages, passed December 7, 1847. so far as relates to the village of Niagara Falls,' passed March 27, 1855," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the charter of the city of Schenectady," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850,' and the act amendatory thereof, passed April 14, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Glens Falls, to regulate the sale of meat and fish therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the Mazeppa Fire Engine company No. 2, of Nyack, Orangetown, Rockland county, State of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act authorizing the trustees of the village of Hornellsville to permit the erection of gas works, and laying pipes for the same in said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act to incorporate the Long Island steamboat company, passed April 11, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act relative to St. Stephen's College," reported

in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on the manufacture of salt, to which was referred the bill entitled "An act to authorize the Superintendent of the Onondaga salt springs to exchange certain lands in Syracuse," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the society for the relief of poor widows with small children,' passed April 5, 1810," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to repeal part of an act passed April 15, 1858, entitled 'An act to amend an act to establish regulations for the port of New York,' passed April 16, 1857."

"An act for the relief of Maria Murphy and the heirs of Francis Kerrigan, deceased."

"An act to amend the charter of the New York Life Insurance company."

"An act to incorporate the Wayne County Savings bank, at Lyons."

Mr. Montgomery gave notice that he would at an early day ask leave to introduce a bill conferring additional corporate powers upon Malone village.

By unanimous consent, Mr. Gardiner asked and obtained leave to introduce a bill entitled "An act to authorize inspectors of election to administer oaths in regard to the qualification of voters," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to prevent bribery and corruption," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to provide for furnishing copies of the New York State Map and Gazetteer to the several school districts of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The bill entitled "An act to incorporate the Wayne County Savings bank, at Lyons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Munroe	Robertson
Bell	Gardiner	Lawrence	J. M. Murphy	Rotch
Colvin	Goss	McGraw	Prosser	Spinola
Connolly	Hillhouse	Manierre	Ramsey	Truman
Ferry	Ketcham	Montgomery	Richmond	Williams

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Maria Murphy and the heirs of Francis Kerrigan, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	J. M. Murphy	Rotch	
Bell	Goss	McGraw	Prosser	Spinola	
Colvin	Grant	Manierre	Ramsey	Truman	
Connolly	Hillhouse	Montgomery	Richmond	Warner	
Ferry	Ketcham	Munroe	Robertson	Williams	25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the New York Life Insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	J. M. Murphy	Rotch	Truman	
Colvin	Goss	Robertson	Spinola	Williams	
Connolly					11

FOR THE NEGATIVE.

Abell	Grant	Lapham	Manierre	Prosser	
Blood	Hillhouse	Lawrence	Montgomery	Richmond	
Ferry	Ketcham	McGraw	Munroe	Warner	
Gardiner					16

Mr. Spinola moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to repeal part of an act passed April 15, 1858, entitled 'An act to amend an act to establish regulations for the port of New York,' passed April 16, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	McGraw	J. M. Murphy	Truman	
Bell	Goss	Manierre	Prosser	Warner	
Colvin	Hillhouse	Montgomery	Robertson	Williams	
Connolly	Ketcham	Munroe			18

FOR THE NEGATIVE.

Blood	Grant	Lapham	Lawrence	Richmond	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Manierre moved that the bill entitled "An act to incorporate the veterans of the National Guard, 7th regiment, 1st division, New York State Militia," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Fiero offered the following resolution :

Resolved, That hereafter the Senate will convene at 10 o'clock A. M.

Mr. Spinola moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Fiero—

Resolved, That the Senate will hereafter hold evening sessions on Tuesday and Thursday evenings, commencing at 7½ o'clock, for the purpose of considering general orders only.

Mr. Ketcham offered the following resolution:

Resolved, That there be printed for the use of the Senate 1,000 extra copies of the report of the Commissioners on the boundary line between New York and Connecticut, and 1,000 copies for the use of the Commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Truman offered the following resolution:

Resolved, That there be printed 500 extra copies of the annual report of the Physician to the Marine Hospital, for the use of the Senate, and 500 for that officer.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Manierre moved that the Assembly bill entitled "An act to amend the charter of the village of Glens Falls, to regulate the sale of meat and fish in said village," be recommitted to the committee on the incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of 12 o'clock having arrived, the Senate would go into executive session.

After some time spent therein, the doors were opened and legislative business resumed.

The Senate resumed the consideration of the general orders, being the bills entitled as follows:

"An act to incorporate the veterans of the National Guard, 7th regiment, 1st division, New York State Militia."

"An act in regard to divorces dissolving the marriage contract."

"An act concerning the navigation of the canals and the collection of tolls."

After some time spent therein, the President resumed the chair, and Mr. Spinola, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Spinola, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

Mr. Prosser moved that said two bills be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

On motion of Mr. Lapham, the Senate adjourned.

THURSDAY, FEBRUARY 14, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Meeker.

The journal of yesterday was read and approved.

Mr. Fiero presented a remonstrance of citizens of Albany county, against State aid to build Albany and Susquehanna railroad, which was laid on the table.

Also, a remonstrance from citizens of Ulster county, on same subject, which was laid on the table.

Mr. Ramsey presented a petition of citizens of Schoharie county, for State aid to build Albany and Susquehanna railroad, which was laid on the table.

Mr. Truman presented three memorials of citizens of Binghamton, for relief to the New York State Inebriate Asylum, which were read and committed to the committee of the whole.

Mr. Blood presented a petition of inhabitants of Fulton and Hamilton counties, to borrow money for highway purposes, which was read and referred to the committee on roads and bridges.

Mr. Rotch presented a petition of citizens of Otsego county, for State aid to build Albany and Susquehanna railroad, which was laid on the table.

Mr. J. M. Murphy presented a petition of A. Oakey Hall and others, in relation to district libraries, which was read and referred to the committee on literature.

Mr. Hillhouse, from the committee on finance, to which was referred the bill entitled "An act to authorize the Commissioners for loaning the money of the United States for certain counties, to release the same in certain cases," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the petition of the Warren County Agricultural Society for relief, reported by bill entitled "An act to enable the Warren County Agricultural Society to draw its proportion of money devoted to agricultural purposes from the State treasury," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Commissioners on the boundary line between New York and Connecticut, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Senate 1,000 extra copies of the report of the Commissioners on the boundary line between New York and Connecticut, and 500 extra copies for the use of the Commissioners.

Mr. Spinola moved to lay said report on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Spinola moved to lay said report on the table until such time as the document to which it relates shall be printed and placed on the files of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Prosser	Spinola
Blood	Kelly	Munroe	Rotch	Warner
Goss	Lawrence	J. M. Murphy	Sessions	Williams
Grant	Manierre			

17

FOR THE NEGATIVE.

Ferry	Ketcham	McGraw	Ramsey	Richmond
Fiero	Lapham			

7

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the Physician to the Marine Hospital, reported in favor of the adoption of the following resolution :

Resolved, That there be printed 500 extra copies of the annual report of the Physician to the Marine Hospital for the use of the Senate, and 500 for that officer.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act relative to the presentation and auditing of accounts against the county of Monroe by the board of supervisors of said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to extend the time for the collection of taxes in Oneida county," reported in favor of the passage of the same.

Mr. Ferry moved that said bill be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the auditing of accounts by the boards of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess and Niagara, and the duties of certain officers of said counties in connection therewith," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of the poor in Oswego county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States," reported

in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act releasing the interest of the people of the State of New York in certain premises situate in the town of Prattsburgh, in the county of Steuben, to the superintendent of the poor of said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend the Revised Statutes in respect to highways," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to relieve the Seneca Nation of Indians, by preferring certain causes on the calendar of the Court of Appeals," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize a part of the records and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the sale of butts, barrels, hogsheads and casks, used by the manufacturers of malt liquors and other persons or parties," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing and providing for the transfer of certain actions and proceedings from the city court of Brooklyn to the Supreme Court," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend the charter of the Hebrew Reform and Benevolent society, of the city of Albany," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act to revive and extend an act respecting the appropriation of the waters of the Black river for the use of the Black river canal and the Erie canal feeder, passed April 3, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on grievances, to which was referred the petition of citizens of Westfield, Richmond county, for relief from the landing of disorderly persons by certain steamboats, reported adversely thereto, and in favor of the passage of the following resolution :

Resolved, That the prayer of the petitioners be denied, as it cannot be constitutionally granted.

The President put the question whether the Senate would agree to said report, and it was decided in the affirmative.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to incorporate the veterans of the National Guard, 7th regiment, 1st division, New York State Militia."

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill relating to the 8th judicial district of the State of New York, to the number of judges, their election and term of office.

Also, a bill relating to the election of the members of the boards of supervisors in all the counties in the State of New York, except the counties of New York and Kings.

By unanimous consent, Mr. Blood asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein, passed April 15, 1858, chapter 249, and to increase the powers of the Commissioners appointed therein,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

In pursuance of previous notice, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act conferring additional corporate powers upon Malone village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to amend the several acts incorporating or relating to the village of Elbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act to repeal chapter 252 of the Laws of 1859, in relation to the publication of legal notices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the business of banking,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

In pursuance of previous notice, Mr. Prosser asked and obtained leave to introduce a bill entitled "An act in relation to the Erie, Oswego, Cayuga and Seneca canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Prosser asked and obtained leave to intro-

duce a bill entitled "An act for the protection of bridges belonging to the State, or under its control," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The bill entitled "An act to incorporate the veterans of the National Guard, 7th regiment, 1st division, New York State Militia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	McGraw	J. M. Murphy	Sessions
Blood	Grant	Manierre	Ramsey	Spinola
Colvin	Hillhouse	Montgomery	Robertson	Warner
Connolly	Ketcham	Munroe	Rotch	Williams
Ferry	Lawrence			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

On motion of Mr. Connolly—

Resolved, That the Long Island railroad company be, and they are hereby directed to report to the Senate, on or before the first day of March, 1861, the names of all their stockholders, with the number of shares held by each; also, the whole number of shares issued, and the number of shares held or owned by said company, and the manner in which they came into possession of the same, and if by purchase, then state the amount paid for the same; also, report whether they have issued any stock since the said railroad has been in operation, and the number of shares so issued, and the amount received therefor; also, report the number of shares voted upon at the last election for directors, and by whom voted, and the number of shares voted by each.

Mr. Colvin called for the consideration of the following resolution, from the Assembly, to wit:

Resolved, (if the Senate concur,) That Francis Granger be, and he is hereby appointed a delegate on the part of this State to the Washington Convention, in place of Thurlow Weed, declined.

Mr. Truman moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Lapham	Montgomery	Prosser	Sessions
Goss	McGraw	Munroe	Ramsey	Truman
Hillhouse	Manierre	J. M. Murphy	Richmond	Warner

15

FOR THE NEGATIVE.

Blood	Ferry	Kelly	Robertson	Spinola
Colvin	Fiero	Ketcham	Rotch	Williams
Connolly	Grant	Lawrence		

13

When the name of Mr. Goss was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. J. M. Murphy moved to take from the table the motion to reconsider

the vote on the bill entitled "An act to amend the charter of the New York Life Insurance company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. J. M. Murphy offered the following resolution:

Resolved, That said bill be recommitted to the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present not voting in favor thereof.

On motion of Mr. McGraw—

Resolved, That the Comptroller be requested to report to the Senate a statement of the time of payment of the State tax by the several county treasurers, to the treasurer of the State during the last year, and such other information as he may deem important in regard to this subject.

Mr. Grant moved to take from the table the following resolution:

Resolved, That a committee of three be appointed by the Chair to investigate the charges made against the New York Harbor Masters, with power to send for persons and papers, and to report in executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Pending the question—

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

After debate thereon—

On motion of Mr. Grant, the further consideration of said special order was postponed until Tuesday next at 12 o'clock.

The Senate resumed the consideration of the question pending at the hour of 12 o'clock.

After debate thereon—

Mr. Grant moved to lay said resolution on the table until after next executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Truman—

Resolved, That a respectful message be sent to the Assembly, requesting that body to return to the Senate, the Assembly bill entitled "An act for the relief of Jeremiah Van Buren," and that when received it be recommitted to the committee on claims.

On motion of Mr. Truman, the Senate took a recess until 7½ o'clock.

HALF-PAST SEVEN O'CLOCK.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act to extend the time for the collection of taxes in Oneida county."

"An act in regard to divorces dissolving the marriage contract."

"An act to amend the charter of the New York Life Insurance company."

After some time spent therein, the President resumed the chair, and Mr. Robertson, from said committee, reported in favor of the passage of the first

named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

On motion of Mr. Sessions, the Senate adjourned.

FRIDAY, FEBRUARY 15, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Magoon.

The journal of yesterday was read and approved.

Mr. Ketcham presented a petition of tax payers of the city of Hudson, in relation to sewers in said city, which was read and committed to the committee of the whole.

Mr. Fiero presented a remonstrance of inhabitants of the county of Ulster, against State aid for Albany and Susquehanna railroad, which was laid on the table.

Mr. Ramsey presented a petition of citizens of Schoharie county, in favor of State aid to Albany and Susquehanna railroad, which was laid on the table.

Mr. Colvin presented a petition of citizens of Albany, on same subject, which was laid on the table.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the several acts incorporating or relating to the village of Elbridge," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act amending the charter of the village of Plattsburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to alter the Commissioners' map of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act conferring additional corporate powers upon Malone village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to divide election district No. 1, in the town of Plattsburgh, Clinton county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act in regard to divorces dissolving the marriage contract."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill :

"An act for the relief of the suffering people of Kansas," which was read the first time, and by unanimous consent was also read the second time.

Mr. Munroe moved that said bill be referred to the first committee of the whole.

Mr. Spinola raised the point of order, that under the rule, said motion could not be made except by unanimous consent.

The President decided the point of order not well taken, it not requiring unanimous consent, but a two-third vote to refer to the first committee of the whole.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Manierre	Prosser	Sessions	
Bell	Hillhouse	Montgomery	Ramsey	Truman	
Colvin	Kelly	Munroe	Robertson	Williams	
Fiero	McGraw				17

FOR THE NEGATIVE.

Grant	Lawrence	Spinola			3
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Mr. Spinola moved to amend the motion of Mr. Munroe by striking out the word "first."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Abell	Hillhouse	Kelly	Lawrence	Spinola	5
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FOR THE NEGATIVE.

Colvin	Lapham	Montgomery	Robertson	Truman	
Connolly	McGraw	Munroe	Sessions	Williams	
Fiero	Manierre	Prosser			13

The President then put the question whether the Senate would agree to said motion of Mr. Munroe, to refer said bill to the first committee of the whole, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Montgomery	Robertson	
Bell	Goss	Lapham	Munroe	Sessions	
Colvin	Hillhouse	McGraw	Prosser	Truman	
Connolly	Kelly	Manierre	Ramsey	Williams	
Fiero					21

FOR THE NEGATIVE.

Lawrence	Spinola				2
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A message from the Assembly was received and read, informing that they had concurred in the passage of the following entitled bill, without amendment, to wit :

"An act to aid the government of the United States in obtaining a loan of money upon its bonds."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill in relation to funds now in the hands of the surrogate of the county of New York, deposited by William H. Sibley.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act relative to railroads in the city of New York,' passed January 30, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad in Fourteenth street, and in other streets and avenues of the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to establish a uniform rate of compensation for the deputies in the various departments of the State government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act respecting excavations in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to give a preference for trial to the action of James W. White against John Clancy, in the Supreme Court of the first judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad in Avenue D, East Broadway, and other streets and avenues of the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The third reading of the bill entitled "An act in regard to divorces dissolving the marriage contract," having been announced—

Mr. Truman moved to recommit said bill to the committee on the judiciary, with instructions to amend by striking out "three years" and inserting "two years."

Mr. Gardiner moved to amend by striking out "three years" and inserting in lieu thereof "one month."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lawrence moved to lay the motion of Mr. Truman on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Truman, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Goss	Hillhouse	Montgomery	Ramsey	Truman	
Grant	McGraw	Prosser	Sessions		9

FOR THE NEGATIVE.

Blood	Fiero	Lapham	Munroe	Robertson	
Colvin	Gardiner	Manierre	J. M. Murphy	Williams	
Connolly	Kelly				12

Mr. Ramsey moved that the bill be laid aside.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lawrence moved to recommit, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Connolly moved to recommit, with instructions to amend by inserting the following, as an additional section:

"Whenever a divorce from the bonds of matrimony has been decreed, either party may lawfully marry again."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	Kelly	Lawrence	Williams	
Blood	Grant				7

FOR THE NEGATIVE.

Bell	Gardiner	McGraw	J. M. Murphy	Sessions	
Colvin	Goss	Manierre	Prosser	Spinola	
Ferry	Hillhouse	Montgomery	Ramsey	Truman	
Fiero	Lapham	Munroe			18

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Ramsey	Truman	
Connolly	Hillhouse	Prosser	Spinola		9

FOR THE NEGATIVE.

Abell	Fiero	Kelly	Manierre	J. M. Murphy	
Blood	Gardiner	Lawrence	Montgomery	Sessions	
Colvin	Grant	McGraw	Munroe	Williams	
Ferry					16

Mr. Ramsey moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to extend the time for the collection of taxes in Oneida county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Manierre	Sessions	
Blood	Gardiner	Kelly	Montgomery	Truman	
Connolly	Goss	Lapham	J. M. Murphy	Williams	
Ferry	Grant	McGraw	Prosser		19

FOR THE NEGATIVE.

Lawrence					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Connolly offered the following resolution:

Resolved, That the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and fur-

ther to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park," be recommitted to the committee on the incorporation of cities and villages.

Mr. J. M. Murphy moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Ramsey	Spinola	
Grant	McGraw	J. M. Murphy	Robertson	Truman	10

FOR THE NEGATIVE.

Blood	Fiero	Kelly	Lawrence	Sessions	
Colvin	Gardiner	Ketcham	Manierre	Williams	
Connolly	Goss	Lapham	Prosser		14

Mr. J. M. Murphy moved to amend by striking out the words "cities and villages," and inserting in lieu thereof "internal affairs of towns and counties."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Kelly	McGraw	Prosser	Spinola	
Ferry	Ketcham	Montgomery	Ramsey	Truman	
Gardiner	Lapham	J. M. Murphy	Robertson	Williams	
Hillhouse					16

FOR THE NEGATIVE.

Blood	Fiero	Lawrence	Manierre	Sessions	
Colvin	Grant				7

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to authorize the payment of interest on certain canal drafts, protested for non-payment."

"An act concerning the navigation of the canals and the collection of tolls."

Assembly bill, "An act for the relief of the suffering people of Kansas."

After some time spent therein, the President resumed the chair, and Mr. Grant, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Grant, from the same committee, reported in favor of the passage of the last named bill, without amendment.

Mr. Spinola renewed the amendment offered in committee of the whole, to amend the first section by adding the following :

"To the Governor, Lieutenant Governor, and Secretary of the State of Kansas, and to be distributed by them."

The President put the question whether the Senate would agree to said amendment, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Gardiner	Kelly	J. M. Murphy	Robertson	Spinola	
Grant	Lawrence				7

FOR THE NEGATIVE.

Abell	Ferry	Ketcham	Montgomery	Sessions	
Bell	Fiero	Lapham	Prosser	Truman	
Blood	Goss	McGraw	Ramsey	Warner	
Colvin	Hillhouse	Manierre	Richmond	Williams	
Connolly					21

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Sessions moved that said bill be now read a third time.

Mr. Spinola raised the point of order, that the bill could not be read the third time on the same day it was ordered to a third reading, without unanimous consent.

The President decided the point of order not well taken, it being an Assembly bill already engrossed, and therefore requiring only a two-third vote as provided by rule 26.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Prosser	Sessions	
Bell	Gardiner	Ketcham	Ramsey	Truman	
Colvin	Goss	Manierre	Richmond	Warner	
Connolly	Hillhouse	Montgomery	Robertson	Williams	20

FOR THE NEGATIVE.

Spinola 1

The President then put the question whether the Senate would agree to said motion of Mr. Sessions, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Clerk was proceeding to the third reading of said bill, when Mr. Grant moved to recommit, with instructions to amend by striking out "who are" in third line, and inserting "and we;" add to the section "and he shall receive \$5 per day for services and traveling expenses for personally superintending the distribution."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Spinola moved to recommit, with instructions to amend by striking out "fifty" and inserting "twenty-five."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Ferry	Kelly	Lawrence	Montgomery	Spinola	
Gardiner	Ketcham	McGraw	Robertson	Williams	10

FOR THE NEGATIVE.

Abell	Fiero	Lapham	Prosser	Sessions	
Bell	Goss	Manierre	Ramsey	Truman	
Colvin	Grant	J. M. Murphy	Richmond	Warner	
Connolly	Hillhouse				17

When the name of Mr. McGraw was called, and that Senator being absent, Mr. Spinola moved that the Sergeant-at-Arms be requested to invite him in.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Sergeant-at-Arms having appeared at the bar of the Senate with Mr. McGraw, and that Senator having rendered his excuse, Mr. Lawrence moved that he be excused.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	J. M. Murphy	Robertson
Bell	Goss	McGraw	Prosser	Sessions
Colvin	Hillhouse	Macierre	Ramsey	Truman
Connolly	Kelly	Montgomery	Richmond	Warner
Fiero	Ketcham			

22

FOR THE NEGATIVE.

Ferry	Grant	Lawrence	Spinola	Williams
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The President presented a communication from his Excellency the Governor, in the words following, to wit :

ALBANY, *February 15, 1861.*

TO THE SENATE—I transmit herewith a copy of certain joint resolutions on the state of the Union, adopted by the Legislature of Michigan, on the 2d instant.

E. D. MORGAN.

Said resolutions were laid on the table and ordered printed.

(*See Doc. No. 38.*)

The President also presented a communication from his Excellency the Governor, in the words following, to wit :

ALBANY, *February 15, 1861.*

TO THE SENATE—I have received from the Governor of Louisiana, and submit herewith a copy of an ordinance of secession passed on the 26th ult., by the people of that State in Convention assembled, and also a copy of a resolution relative to the navigation of the Mississippi river, adopted by the same body.

E. D. MORGAN.

Said ordinance and resolution were laid on the table and ordered printed.

(*See Doc. No. 39.*)

On motion of Mr. Bell, the Senate adjourned.

SATURDAY, FEBRUARY 16, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Meeker.

The journal of yesterday was read and approved.

Mr. Fiero presented three remonstrances from inhabitants of Otsego county, against State aid to build the Albany and Susquehanna railroad, which were laid on the table.

Mr. Goss presented a petition of John Marsh and others, for an amendment to the Constitution, to prohibit the sale of intoxicating liquors as a beverage, which was laid on the table.

Messrs. Connolly, Ramsey, McGraw and Truman, presented petitions for State aid to build Albany and Susquehanna railroad, which were laid on the table.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act for the protection of bridges belonging to the State, or under its control," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lawrence, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act supplementary to an act entitled 'An act in relation to assessments in relation to local improvements in the city of Brooklyn,'" reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act relative to local improvements in the city of Brooklyn," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment:

"An act to amend section 1, chapter 701 of the Laws of 1857, relative to the improvement of Westchester creek."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That 5,000 extra copies of the annual report of the Superintendent of Public Instruction be printed for the use of the Legislature, and 2,000 extra copies for the Superintendent.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act for the relief of the estate of Henry C. Goodwin, deceased," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ramsey and by unanimous consent, the rule was suspended, and said bill referred to the committee on the judiciary, to report complete.

"An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 18, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended, and said bill referred to the committee on manufactures, to report complete.

"An act to revive and extend the charter of the New York Mills Fire company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Truman offered the following resolution:

Resolved, (if the Assembly concur,) That this Legislature will take a recess from Friday the 1st of March, at 12 o'clock noon, to Wednesday the 6th of March at 7 o'clock in the evening.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	Hillhouse	J. M. Murphy	Sessions
Bell	Gardiner	Lapham	Prosser	Spinola
Bloed	Grant	Lawrence	Ramsey	Truman
Colvin	Hammond	Montgomery	Richmond	Williams

FOR THE NEGATIVE.

Fiero

Goss

McGraw

Warner

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Abell gave notice that he would at an early day ask leave to introduce a bill to repeal chapter 28 of the Laws of 1848, restoring to the county of Livingston the office of crier in the courts of said county.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to incorporate the American Church Missionary society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Gardiner asked and obtained leave to introduce a bill entitled "An act to enable Ann Jane McClure to take, hold, convey and devise real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to authorize clerks of boards of excise to take affidavits and acknowledgments, in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Lawrence—

Resolved, That the committee appointed on the part of this body to meet and make suitable arrangements for the reception of his Excellency the President elect, upon his arrival in this city, be and are hereby respectfully requested to report to this body the result of their proceedings, under the resolution appointing them.

Mr. Ferry, from said committee, reported in writing, as follows:

The legislative committee will proceed to Utica to meet the President.

On reaching this city, the train will stop at the Broadway crossing, where the President and those who accompany him will disembark.

He will there be formally received by the mayor and common council, and will be escorted by the 25th regiment to the capitol.

On reaching the capitol (outside) the President will be formally introduced to and welcomed by the Governor.

He will then be escorted into the Assembly chamber, where he will be received by both Houses in joint meeting, and welcomed by the President of the Senate.

After these formalities, the President will proceed to the executive chamber, where he will have a brief reception, and where all, indiscriminately, will have an opportunity to meet him.

From the executive chamber Mr. Lincoln will proceed to the Governor's mansion, as his guest for the night.

On Tuesday, at 9 A. M., the President will hold a reception in the parlors of the Delavan House, for the ladies.

He will leave for New York, in a special train, at 10 A. M., under escort of the Burgesses corps.

Mr. Spinola offered the following resolution:

Resolved, That the select committee on the reception of Abraham Lincoln, President elect of the United States, on his arrival at the capital of this State, be and they are hereby discharged from the further consideration of the subject referred to them.

Mr. McGraw moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Prosser	Warner
Fiero	McGraw			

7

FOR THE NEGATIVE.

Abell	Grant	Kelly	Ramsey	Spinola
Blood	Hammond	Lapham	Richmond	Truman
Colvin	Hillhouse	Lawrence	Sessions	Williams
Gardiner				

16

Mr. Hammond moved to amend by striking out all after the word "Resolved," and inserting in lieu thereof the following :

"That the committee of arrangements for the reception of the President elect, be instructed to provide suitable and proper apartments for him and his suite, placing them at his disposal during his stay in the city of Albany, making the amplest provision for his and their comfort and enjoyment during such stay.

"*Resolved*, That the two Houses of the Legislature will meet the President on his arrival in the city, and escort him to the quarters so provided for him, welcoming him to the capital of the State of New York, and tendering the hospitalities of the State in such manner as shall be most agreeable to him."

Mr. Bell moved to amend the amendment by striking out the words "two Houses" in first line of second resolution, and inserting in lieu thereof the words "joint committee."

Mr. Sessions moved to recommit the report of the committee, with instructions to amend by procuring suitable rooms for the President elect and suite, to which they shall be conducted after the ceremonies of reception have taken place at the capitol.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsey moved to take from the table the following resolution from the Assembly, to wit:

Resolved, (if the Senate concur,) That Francis Granger be, and he is hereby appointed a delegate on the part of this State to the Washington Convention, in place of Thurlow Weed, declined."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Sessions moved to postpone the question on the adoption of said resolution until the 1st day of May next.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Lapham	Montgomery	Sessions	Warner
Hillhouse	McGraw	Prosser	Truman	

9

FOR THE NEGATIVE.

Abell	Ferry	Goss	Kelly	Richmond
Blood	Fiero	Grant	Lawrence	Spinola
Colvin	Gardiner	Hammond	Ramsey	Williams
Connolly				

16

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Grant	Lawrence	Richmond
Blood	Fiero	Hammond	Prosser	Spinola
Colvin	Gardiner	Kelly	Ramsey	Williams
Connolly	Goss			

17

FOR THE NEGATIVE.

Bell	McGraw	Sessions	Truman	Warner
Hillhouse	Montgomery			

7

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Sessions offered the following resolution :

Resolved, (if the Assembly concur,) That the two Houses meet in the Assembly chamber on Monday next, 18th instant, at 8 o'clock P. M., for the purpose of receiving in joint convention the Hon. Abraham Lincoln, President elect of the United States.

On motion of Mr. Sessions and by unanimous consent, the rules were suspended, in order that said resolution might be considered immediately.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

Mr. Fiero offered the following resolution :

Resolved, That there be printed for the use of the Senate 1,000 extra copies of the report of the State Assessors, and State Board of Equalization.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Truman moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Warner offered the following resolution :

Resolved, That there be printed fifteen copies for each of the members, officers and reporters of the Senate, of the annual report of the State Engineer and Surveyor on railroads.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act in relation to affidavits," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Truman the Senate adjourned.

MONDAY, FEBRUARY 18, 1861,

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Miles.

The journal of Saturday, was read and approved.

Mr. McGraw presented a petition of citizens of Chenango county, for State aid to build Albany and Susquehanna railroad, which was laid on the table.

Mr. Gardiner presented a petition of the Brooklyn Industrial School Association and Home for Destitute Children, for relief, which was read and referred to the committee on finance.

Mr. Lawrence presented a petition of John T. Mills, for the use of the rail cars as a conveyance for his patrons from Weehawken ferry, which was read and referred to the committee on incorporation of cities and villages.

Also, a memorial of the New York Yearly Meeting of the Religious Society of Friends, against the infliction of the death penalty, which was read and referred to the committee on the judiciary.

Messrs. Ramsey, Truman and Rotch, presented three several petitions, for State aid to build Albany and Susquehanna railroad, which were laid on the table.

Mr. Ramsey presented a remonstrance of citizens of Delaware county, against passage of bill in relation to county treasurers, which was read and committed to the committee of the whole.

Mr. Rotch presented a memorial of the board of trustees of the New York State Agricultural College, for State aid to said college, which was read and referred to the committee on literature.

Mr. Hillhouse, from the committee on finance, to which was referred the bill entitled "An act to establish a uniform rate of compensation for the deputies in the various departments of the State government," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of the estate of Henry C. Goodwin, deceased," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to fix the salary of the city judge of the city of Brooklyn," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to legalize the formation of school district No. 18, in the town of Cortlandt, Westchester county," reported in favor of the passage of the same; and said bill was committed to the committee of the whole.

The Assembly returned the concurrent resolution providing for a joint convention of the two Houses in the Assembly chamber, for the reception of Hon. Abraham Lincoln, President elect of the United States, with a message that they had concurred in the passage of the same, without amendment.

The Assembly returned the concurrent resolutions in relation to the conservative action of the border slave States, and commending the action of Gov. Hicks, of Maryland, in refusing to call a special session of the Legislature of that State, with a message that they had concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said resolutions to the Secretary of State.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Whereas, The Lieutenant Governor, who is President of the Senate, is confined to his room by sickness, and will be unable to meet with the two Houses this day, in joint convention, for the purpose of welcoming the President elect, as laid down in the programme of the select committee on reception of the President; therefore,

Resolved, (if the Senate concur,) That the Speaker of the Assembly be requested to preside at the joint convention, and welcome the President elect on behalf of the Legislature.

Ordered, That said resolution be laid on the table.

Mr. Hillhouse gave notice that he would at an early day ask leave to introduce a bill to fix the corporate name of Hobart College, and to confirm the acts of the trustees thereof.

By unanimous consent, Mr. Grant asked and obtained leave to introduce a bill entitled "An act entitled 'An act repealing the act entitled 'An act

to confirm a grant or resolution of the common council of the city of New York, authorizing the construction of a railroad in certain streets and avenues in said city, and to authorize the construction of said railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Hillhouse offered the following resolution:

Whereas, The Lieut. Governor, who is President of the Senate, is confined to his room by sickness, and will be unable to meet with the two Houses this day, in joint convention, for the purpose of welcoming the President elect, as laid down in the programme of the select committee on reception of the President; therefore,

Resolved, That the Speaker of the Assembly be requested to preside at the joint convention, and welcome the President elect on behalf of the Legislature.

Mr. Fiero moved to lay the whole subject on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	P. P. Murphy	Rotch	Truman	
Bell	Hammond	Ramsey	Sessions	Williams	
Fiero	Kelly				12

FOR THE NEGATIVE.

Blood	Goss	Hillhouse	McGraw	Spinola	
Colvin	Grant	Lawrence	Montgomery	Warner	10

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of the Hammondsport and Pleasant Valley Wine company."

"An act in relation to the punishment of crimes, and concerning prisoners confined in the State prisons."

"An act to authorize the Brooklyn Central and Jamaica railroad company to extend their tracks through Furman street to Fulton ferry."

After some time spent therein, the President resumed the chair, and Mr. Rotch, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Rotch, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Rotch, from the same committee, reported that they had made sundry amendments to the last named bill, and amended the title by striking out the word "ferry" and inserting in lieu thereof the word "street," and in favor of the passage of the same, as amended, which report was agreed to and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Bell offered the following resolution:

Resolved, That by reason of the illness of the Lieut. Governor and his consequent absence, Senator Colvin be designated on the part of the Senate to act as its presiding officer on the reception and introduction of the President elect.

Mr. Hammond moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

After debate thereon—

Mr. Grant offered the following resolution :

Resolved, That the question on the resolution offered by Senator Bell be taken in five minutes, without amendment, delay or debate.

Mr. Goss moved that the Senate now take a recess.

The President decided that the motion was not in order, Senator Grant not yet having reduced his motion to writing, as required by Senator Spinola.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative.

While the Clerk was proceeding to call the roll on the motion of Mr. Grant, as directed by the President, Mr. Spinola raised the point of order that the question was not on the motion of Mr. Grant, but on his appeal from the decision of the Chair.

The President decided the point of order not well taken, the appeal of the Senator from the 3d having already been acted on.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative.

Mr. Spinola rose to a question of privilege, and was proceeding to state his question of privilege, being that he had called for the ayes and noes on his first appeal from the decision of the Chair, and that they were not taken—when Mr. Truman raised the point of order that the Senator could not rise to a question of privilege while the Clerk was calling the roll.

The President decided the point of order well taken.

Mr. Spinola was again proceeding to discuss a question of privilege, when the President directed him to take his seat.

The President then directed the Clerk to announce the result on the motion of Mr. Grant, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Prosser	Truman
Bell	Grant	Lawrence	Ramsey	Warner
Blood	Hammond	McGraw	Richmond	Williams
Fiero	Hillhouse	Montgomery	Rotch	

19

FOR THE NEGATIVE.

Goss	Sessions	Spinola	
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3

The hour of twenty-five minutes past two having arrived, the President announced the special order, being the question on the adoption of the resolution of Mr. Bell.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lawrence	Ramsey	Truman
Bell	Grant	McGraw	Rotch	Warner
Blood	Hillhouse	Prosser	Spinola	Williams
Fiero	Kelly			

17

FOR THE NEGATIVE.

Goss	Montgomery	P. P. Murphy	Richmond	Sessions
Hammond				

6

When the name of Mr. Hammond was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

When the name of Mr. Lapham was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Bell, the Senate took a recess until three o'clock.

THREE O'CLOCK.

The Senate again met.

Messrs. Sanford and Buckbee, a committee from the Assembly, appeared and announced that pursuant to concurrent resolution, the Assembly was now ready to receive the Senate in joint convention, for the purpose of welcoming the Honorable Abraham Lincoln, President elect of the United States.

The Senate then proceeded in a body to the Assembly chamber, where on the entrance of the President elect, accompanied by his suite, he was received and welcomed by the Hon. Andrew J. Colvin, in behalf of the Legislature and people of the State of New York. The President elect, having replied to the address of welcome, was escorted from the chamber.

The Senate then returned to the Senate chamber, and the President announced the foregoing proceedings as having taken place.

On motion of Mr. P. P. Murphy, the Senate adjourned.

TUESDAY, FEBRUARY 19, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Morrow.

The journal of yesterday was read.

On motion of Mr. Spinola, the journal of yesterday was amended so as to make the motion of Mr. Goss, which the President decided not in order, and from which decision Mr. Spinola appealed, a motion to adjourn and not a motion for a recess.

The journal, as amended, was then approved.

Mr. Truman presented two petitions of citizens of Tioga county, for extension of Chenango canal, which were laid on the table.

Also, a remonstrance of citizens of Tioga county, against passage of act in relation to county treasurers, which was read and committed to the committee of the whole.

Also, a petition of citizens of Broome county, for aid to Albany and Susquehanna railroad, which was laid on the table.

Also, five petitions of citizens of Tompkins and Broome counties, for aid to the Susquehanna Seminary, which were read and committed to the committee of the whole.

By unanimous consent, Mr. Sessions moved that the committee on literature be discharged from the further consideration of the petition of the board of trustees of the New York State Agricultural College, for State aid to said college, and that the same be referred to the committee on agriculture.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

Mr. Rotch presented two remonstrances of citizens of Herkimer county, against alteration of the poor laws, which were read and referred to the committee on the internal affairs of towns and counties.

Messrs. Ramsey and Rotch presented petitions of citizens of Schoharie and Otsego counties, for State aid to Albany and Susquehanna railroad, which were laid on the table.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the State Engineer and Surveyor, on railroads, reported in favor of the adoption of the following resolution :

Resolved, That there be printed fifteen copies for each of the members, officers and reporters of the Senate, of the annual report of the State Engineer and Surveyor on railroads.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the State Assessors and State Board of Equalization, reported in favor of the adoption of the following resolution :

Resolved, That there be printed for the use of the Senate 1,000 extra copies of the report of the State Assessors and State Board of Equalization.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to repeal an act entitled 'An act relative to railroads in the city of New York,' passed January 30, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the petition of Lyman Gibson for relief, reported by bill entitled "An act for the relief of Lyman Gibson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act in relation to the support of the poor in the county of Herkimer," reported the same back to the Senate, and recommended its passage, and said bill was committed to the committee of the whole.

In pursuance of previous notice, Mr. Hillhouse asked and obtained leave to introduce a bill entitled "An act to fix the corporate name of Hobart College, and to confirm the acts of the trustees thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad in Seventh avenue, and in certain other streets and avenues of the city of New York,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to alter the Commissioners' map of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act for the relief of the Hammondsport and Pleasant Valley Wine company."

"An act to authorize the Brooklyn Central and Jamaica railroad company to extend their tracks through Furman street to Fulton street."

"Concurrent resolutions of thanks to Gov. Hicks, of Maryland."

The Assembly bill entitled "An act for the relief of the estate of Henry C. Goodwin, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Colvin	Goss	Montgomery	Richmond	Spinola	
Connolly	Hillhouse	Munroe	Robertson	Truman	
Ferry	Ketcham	Prosser	Sessions	Warner	
Fiero	Lapham	Ramsey			18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to fix the salary of the city judge of the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Munroe	Rotch	
Blood	Gardiner	Ketcham	Ramsey	Truman	
Colvin	Goss	Manierre	Richmond	Warner	
Connolly	Hammond	Montgomery	Robertson		19

FOR THE NEGATIVE.

Ferry	Grant	Lapham	Lawrence	Spinola	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act for the relief of the Hammondsport and Pleasant Valley Wine company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Munroe	Rotch	
Blood	Hammond	Lawrence	Prosser	Spinola	
Colvin	Hillhouse	Manierre	Richmond	Warner	
Connolly	Kelly	Montgomery			18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Colvin moved to reconsider the vote on the Assembly bill entitled "An act to fix the salary of the city judge of the city of Brooklyn."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Gardiner	Lapham	Montgomery	Richmond	
Colvin	Grant	Lawrence	Prosser	Spinola	
Ferry	Ketcham				12

FOR THE NEGATIVE.

Abell	Goss	Manierre	Rotch	Truman	
Connolly	Hammond	P. P. Murphy	Sessions	Warner	
Fiero	Hillhouse	Ramsey			13

The third reading of the bill entitled "An act to authorize the Brooklyn Central and Jamaica railroad company to extend their tracks through Furman street to Fulton street," having been announced—

Mr. Spinola moved that said bill be recommitted to a select committee consisting of the Senators from the city of Brooklyn, with power to report complete, and to report at the first meeting of the Senate after Thursday.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Fiero offered the following resolution :

Resolved, (if the Assembly concur,) That when the Senate and Assembly adjourn on Thursday the 21st instant, they will adjourn until Monday evening the 25th instant, at 7½ o'clock P. M.

Ordered, That said resolution be laid on the table.

Mr. Prosser offered the following resolution :

Resolved, That no Senator shall speak upon any one subject, including all amendments thereto, more than ten minutes, without the consent of the Senate ; and this resolution shall be alike applicable to the committee of the whole.

Mr. Spinola moved to refer said resolution to the standing committee on rules.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Spinola moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Connolly	Gardiner	Kelly	Robertson	
Colvin	Fiero	Grant	Lawrence	Spinola	10

FOR THE NEGATIVE.

Bell	Hammond	Montgomery	Prosser	Rotch	
Ferry	Hillhouse	Munroe	Ramsey	Truman	
Goss	Ketcham	P. P. Murphy	Richmond	Warner	15

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

After debate thereon—

On motion of Mr. Fiero, the further consideration of said special order was postponed until Tuesday next at 12 M.

The Senate resumed the consideration of the question pending at the hour of 12 o'clock, being the resolution offered by Mr. Prosser.

Mr. Spinola raised the point of order that the resolution could not be entertained to-day, inasmuch as it amends rule 21, and must therefore lie on the table one day.

The President decided the point of order well taken.

Mr. Spinola moved to take from the table the following resolution :

Resolved, That there be printed for the use of the Senate 1,000 extra copies of the report of the Commissioners on the boundary line between New York and Connecticut, and 500 extra copies for the use of the Commissioners.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to lay the resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Spinola called for the consideration of the following resolution, from the Assembly, to wit :

Resolved, (if the Senate concur,) That 5,000 extra copies of the annual

FOR THE NEGATIVE.

Bell	Hillhouse	Lapham	Montgomery	Robertson
Ferry	Ketcham	McGraw	Prosser	Sessions
Fiero				

11

The President then put the question whether the Senate would agree to so much of said resolution as relates to discontinuing evening sessions, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	P. P. Murphy	Truman
Blood	Grant	Lawrence	Richmond	Warner
Colvin	Hammond	Munroe	Spinola	Williams
Connolly	Hillhouse			

17

FOR THE NEGATIVE.

Bell	Goss	McGraw	J. M. Murphy	Robertson
Ferry	Ketcham	Manierre	Prosser	Sessions
Fiero	Lapham	Montgomery	Ramsey	

14

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the annual message of his Excellency the Governor.

Mr. Fiero moved to postpone said special order until Tuesday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the further special order, being the consideration of the following resolutions, reported by the select committee on federal relations, to wit:

Whereas, The Constitution of the United States was ordained by and for the people thereof; and *whereas*, it establishes the paramount authority of the government, and provides for the perpetuity of the Union; therefore,

Resolved, (if the Assembly concur,) That the people of this State, irrespective of party distinctions, do hereby declare, that the right of the people of a single State, or of several States, to absolve themselves at will from their solemn obligations to the Federal Union, cannot be acknowledged. The principles and the objects which the general government was formed to secure, are repugnant to such authority, and the exercise thereof where-soever or howsoever attempted, is treasonable, and must be resisted by all the remedies provided in the Constitution. The first duty, therefore, of the citizens of New York, is to be directed to the preservation of the Union.

Resolved, (if the Assembly concur,) That the Legislature will sustain the Executive of the State in the offer and pledge of the military power and resources of the State, and that they will "provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," whether within or without the State.

Resolved, (if the Assembly concur,) That the State of New York is faithful to the Federal Union, and will make every needful sacrifice to maintain it in its integrity; at the same time, New York will make equal sacrifices to support the several States in all their constitutional rights.

Resolved, (if the Assembly concur,) That Congress has no power to interfere with slavery in the several States, or in any of them.

Resolved, (if the Assembly concur,) That although we believe Congress possesses the power to abolish slavery in the District of Columbia, yet it is inexpedient to exercise such power unless upon the following conditions:

1. That the abolition should be on the vote of a majority of qualified voters of the district, and with the consent of the State of Maryland.

2. That it should be gradual.

3. That compensation should be made to unwilling owners.

Resolved, (if the Assembly concur,) That Congress should not inhibit or impair the inter-State traffic of persons held to service or labor under the laws of the several States, or any of them.

Resolved, (if the Assembly concur,) That, while the rendition of fugitives from service or labor is a plain constitutional obligation, and should be faithfully observed, the law of 1850 contains provisions which seriously obstruct, if they do not prevent its execution. These should be modified.

Mr. Goss moved to postpone the consideration of said special order until Thursday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Prosser moved to take from the table the following resolution:

Resolved, That no Senator shall speak upon any one subject, including all amendments thereto, more than ten minutes without the consent of the Senate, and this resolution shall be alike applicable to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved to amend by striking out the words "without the consent of the Senate," and inserting in lieu thereof the words "except by unanimous consent."

Mr. Goss moved further to amend by striking out the word "ten" and inserting in lieu thereof the word "fifteen."

Mr. Fiero moved that the whole subject be referred to the committee on rules.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Connolly moved to reconsider the vote making the Governor's message the special order for Tuesday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lawrence moved to amend by striking out "Tuesday" and inserting "Thursday next, immediately after consideration of resolutions reported by the committee on federal relations."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

By unanimous consent, Mr. Colvin presented a remonstrance of Thomas W. Olcott, Jacob H. Ten Eyck and others, against the passage of a law allowing railroad companies to abandon all or any part of their roads, which was read and referred to the committee on railroads.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to regulate removals from office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Munroe moved that the bill entitled "An act for the relief of the New York State Inebriate Asylum, and for other purposes," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Spinola presented a petition of residents of the town of Flatland, Kings county, to repeal the act for opening Paea avenue, which was read and referred to the committee on roads and bridges.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to incorporate the University of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Spinola, and by unanimous consent, the rules were suspended, and said bill was referred to the committee on literature, to report complete.

Mr. Goss, from the committee on roads and bridges, to which was re-committed the bill entitled "An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein,' passed April 15, 1858, chapter 249, and to increase the powers of the commissioners appointed therein," with power to report complete, reported the same complete.

On motion of Mr. Blood and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE,

Abell	Gardiner	Lawrence	J. M. Murphy	Sessions
Bell	Goss	Manierre	P. P. Murphy	Spinola
Blood	Grant	Montgomery	Richmond	Truman
Colvin	Hammond	Manroe	Robertson	Warner
Fiero	Lapham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to fix the corporate name of Hobart College, and to confirm the acts of the trustees thereof," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Manierre moved that the bill entitled "An act to incorporate the German Hospital, in the city of New York," be re-committed to the committee on charitable and religious societies, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Grant moved that the bill entitled "An act to amend an act entitled 'An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan,'" be referred to the committee on the incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved that the bill entitled "An act in relation to the State Arsenal and lands in the city of Brooklyn," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Ketcham moved that the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,'" be re-committed to

the committee on the incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lawrence moved that the bill entitled "An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens," now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Lawrence and by unanimous consent, said bill was amended by adding in section one the names of "A. G. Silliman and Chas. R. Lincoln."

Also, strike out the word "fifteen" and insert in lieu thereof the word "twenty."

Also, in section two, fill the blank in line eleven, printed bill, with the word "five."

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	P. P. Murphy	Spinola
Bell	Goss	Lapham	Prosser	Truman
Blood	Grant	Lawrence	Robertson	Warner
Colvin	Hammond	Manierre	Sessions	Williams
Fiero	Hillhouse	Montgomery		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Goss moved that the bill entitled "An act relative to the presentation and auditing of accounts against the county of Monroe, by the board of supervisors of said county," be recommitted to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to take from the table the question of agreeing to the report of the committee of the whole on the bill entitled "An act for the relief of the Susquehanna Seminary."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 27, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Bell presented a petition of twenty-five citizens of Buffalo, asking for an increase of duties on salt, which was read and referred to the committee on the manufacture of salt.

Mr. Robertson presented ten several petitions of citizens of Westchester, relating to a railroad in said county, which were read and referred to the committee on railroads.

Mr. Manierre presented a remonstrance of ship owners, underwriters and merchants of the city of New York, against the passage of the bill for the better protection of steamboat piers in said city, which was read and committed to the committee of the whole.

Mr. Ketcham presented a petition of citizens of New Lebanon, Columbia county, for State aid to Lebanon Springs railroad, which was read and referred to the committee on finance.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Flushing Fair Ground company."

"An act granting certain privileges to the South Side railroad company of Long Island."

"An act to incorporate the Bay Ridge fire company in Kings county."

"An act to provide for the erection of a town hall in the town of Fushing, in the county of Queens."

"An act to divide election district number one, of the town of Plattsburgh, Clinton county."

"An act for the relief of the Susquehanna Seminary."

"An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein,' passed April 15, 1858, chapter, 249, and to increase the powers of the commissioners appointed therein."

"An act to provide for holding a special meeting in the village of Middleport, and transacting business thereat."

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the Brockport and Clarkson plankroad company to reduce the number of directors from nine to five," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize the trustees of the Asylum for Idiots to purchase additional land," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the German Hospital in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. P. P. Murphy, from the committee on claims, to which was referred the petition of Benjamin F. Gaskell and others, for relief on account of break in Erie canal, reported by bill entitled "An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pierson, Grace Newbury, and the legal representatives of Henry Pearson, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Warner, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the American Church Missionary Society," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to reduce the fare, and provide better accommodations for passengers upon the New York city railroads," reported the same for the consideration of the Senate.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Hudson," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Rotch, from the committee on agriculture, to which was referred the petition of the trustees of the State Agricultural College, for State aid to said college, reported by bill entitled "An act making an appropriation in aid of the New York State Agricultural College," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Bell, from the committee on manufactures, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, and chemical purposes,' passed February 17, 1848," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act relative to the presentation and auditing of accounts against the county of Monroe by the board of supervisors of said county," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the petition of William Eno, Esq. and others, for an amendment to the act entitled "An act for the more effectual draining of certain swamps and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess," reported in favor of the adoption of the following resolution:

Resolved, That the prayer of the petitioners be denied.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the University of Brooklyn," with

power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fiero gave notice that he would at an early day ask leave to introduce a bill in relation to hawkers and pedlars.

Mr. Abell gave notice that he would at an early day ask leave to introduce a bill relating to the public health of New York and Brooklyn.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act for the sale of the Quarantine land on Staten Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Long Island railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

In pursuance of previous notice, Mr. Kelly asked and obtained leave to introduce a bill entitled "An act to amend the charter of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to promote the public health of the cities of New York and Brooklyn, and their vicinity," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the select committee on that subject.

The bill entitled "An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	P. P. Murphy	Rotch
Blood	Gardiner	Lawrence	Prosser	Spinola
Colvin	Grant	Manierre	Ramsey	Truman
Connolly	Hammond	J. M. Murphy	Robertson	

19

FOR THE NEGATIVE.

Bell	Ketcham	McGraw	Richmond	Warner
Fiero	Lapham	Munroe	Sessions	Williams
Hillhouse				

11

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Bay Ridge fire company in Kings county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Connolly	Grant	Lapham	P. P. Murphy	Rotch
Fiero	Hillhouse	Lawrence	Prosser	Spinola
Gardiner	Kelly	Manierre	Ramsey	Truman
Goss	Ketcham	Munroe	Robertson	

19

FOR THE NEGATIVE.

Bell	Colvin	
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act to incorporate the Long Island steamboat company, passed April 11, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	Munroe	Sessions
Bell	Gardiner	McGraw	Prosser	Spinola
Colvin	Hillhouse	Manierre	Ramsey	Truman
Connolly	Kelly	Montgomery	Robertson	Williams
Ferry	Lapham			

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to divide election district number one, of the town of Plattsburgh, Clinton county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	P. P. Murphy	Sessions
Bell	Fiero	Ketcham	Prosser	Spinola
Blood	Gardiner	Lapham	Ramsey	Truman
Colvin	Goss	Montgomery	Robertson	Warner
Connolly	Grant	Munroe	Rotch	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States," having been announced—

On motion of Mr. Robertson and by unanimous consent, said bill was amended by inserting after the word "made," section 1, the words "or may hereafter be made."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Munroe	Robertson
Blood	Gardiner	Ketcham	P. P. Murphy	Rotch

Colvin	Goss	Lapham	Prosser	Truman	
Connolly	Grant	Lawrence	Ramsey	Warner	
Ferry	Hillhouse	Montgomery			23

FOR THE NEGATIVE.

Abell					1
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Mr. Spinola moved to reconsider the vote on said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Sessions	
Blood	Goss	Lawrence	Prosser	Spinola	
Colvin	Grant	Montgomery	Robertson	Truman	
Connolly	Hillhouse				17

FOR THE NEGATIVE.

Ramsey	Rotch				2
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On motion of Mr. Robertson and by unanimous consent, said bill was amended by striking out the words "or may hereafter be made," in section one.

Mr. Spinola moved that said bill be recommitted to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The third reading of the bill entitled "An act to incorporate the Flushing Fair Ground company," having been announced—

On motion of Mr. Lawrence and by unanimous consent, said bill was amended by striking out the word "not" in line 5, seventh section of the printed bill.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Montgomery	Prosser	
Bell	Gardiner	Lawrence	Munroe	Robertson	
Blood	Hammond	Manierre	J. M. Murphy	Truman	
Colvin	Kelly				17

FOR THE NEGATIVE.

Goss					1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the Susquehanna Seminary," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	P. P. Murphy	Robertson	
Blood	Kelly	Manierre	Prosser	Sessions	
Colvin	Ketcham	Montgomery	Ramsey	Truman	
Connolly	Lapham	Munroe	Richmond	Williams	
Fiero	Lawrence	J. M. Murphy			23

FOR THE NEGATIVE.

Bell	Goss	Spinola	Warner		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for holding a special meeting in the village of Middleport, and transacting business thereat," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	P. P. Murphy	Sessions
Bell	Goss	McGraw	Prosser	Truman
Blood	Kelly	Manierre	Ramsey	Warner
Colvin	Ketcham	Montgomery	Robertson	Williams
Connolly	Lapham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to provide compensation for Philip Phelps, Deputy Comptroller," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the annual report of the Commissioners of Emigration for the year 1860, which was laid on the table and ordered printed.

(See Doc. No. 49.)

On motion of Mr. Manierre—

Resolved, That so much of the message of his Excellency the Governor as relates to the city and county of New York, be referred to a select committee consisting of the Senators from the city of New York.

Mr. Hammond offered the following resolution:

Resolved, That the bill entitled "An act to give a preference for trial to the action of James W. White against John Clancy, in the Supreme Court of the 1st judicial district," be recommitted to the committee on the judiciary.

Pending the question—

The hour of 12 o'clock having arrived, the President announced that the Senate would go into executive session.

Mr. Fiero moved to postpone executive session for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolution of Mr. Hammond, and it was decided in the affirmative.

Mr. Grant moved to take from the table the motion to reconsider the vote on the bill entitled "An act in relation to the Department of Finance in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Sessions moved to recommit said bill to the committee on incorporation of cities and villages, with instructions to amend by striking out all after the enacting clause and inserting the following, and to report the same back to the Senate forthwith:

Sec. 1. The chamberlain of the city of New York shall hold his office for a like term for which it is now provided by law the comptroller of said city shall be elected, and until his successor shall be duly appointed and qualified, and shall be subject to removal from office only for malfeasance therein, in the same manner, and by the same proceedings as are now provided by

law for the removal of the comptroller or corporation counsel of said city, and not otherwise.

§ 2. This act shall take effect immediately.

Mr. Spinola moved to amend the amendment by inserting the following, as an additional section:

§ 2. The chamberlain shall keep regular books, showing a complete account of the business of his office, as well as the amounts paid on account of the several appropriations; and no warrant shall be paid on account of any appropriation after the amount authorized to be raised by tax for that specific purpose shall have been expended; he shall also report to the head of said department, from time to time as he shall direct, the amount of moneys received or paid out by the said chamberlain for the periods embraced in said report, together with such other information in relation to the transactions of said bureau, as the head of said department may require; and the said chamberlain shall hereafter be appointed by the head of said finance department, and shall hold his office for the term of four years from the date of his appointment, and until his successor shall be duly appointed. The first appointment of a chamberlain as aforesaid shall be made within ten days after this act takes effect, and the chamberlain then in office shall continue in office until the person so appointed shall have taken the oath of office, and given the security required by law, and no longer."

Pending the question—

The hour of half-past 12 having arrived, the President announced that the Senate would go into executive session.

Mr. Sessions moved to postpone executive session for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Spinola, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Manierre	P. P. Murphy	Warner	
Bell	Hillhouse	Montgomery	Richmond	Williams	
Connolly	Ketcham	Munroe	Spinola		14

FOR THE NEGATIVE.

Blood	Goss	Lapham	J. M. Murphy	Robertson	
Colvin	Grant	Lawrence	Prosser	Rotch	
Ferry	Hammond	McGraw	Ramsey	Sessions	
Fiero	Kelly				17

When the name of Mr. Truman was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Sessions, to recommit with instructions, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	Lawrence	Prosser	Sessions	
Colvin	Hammond	McGraw	Ramsey	Warner	
Fiero	Kelly	J. M. Murphy	Robertson		14

FOR THE NEGATIVE.

Abell	Gardiner	Lapham	P. P. Murphy	Spinola	
Bell	Goss	Manierre	Richmond	Truman	
Connolly	Hillhouse	Montgomery	Rotch	Williams	
Ferry	Ketcham	Munroe			18

Mr. Spinola moved that said bill be laid aside.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The hour of one o'clock having arrived, the Senate went into executive session.

After some time spent therein, the doors were opened, and legislative business resumed.

The President announced the special order, being the consideration of the concurrent resolutions to amend the Constitution, so as to prohibit the sale of intoxicating liquors as a beverage, in the words following, *to wit*:

Resolved, (if the Assembly concur,) That the Constitution of this State be amended as follows:

The sale of intoxicating liquors, as a beverage, is hereby prohibited; and no law shall be enacted, or be in force, after the adoption of this amendment, to authorize such sale, and the Legislature shall by law prescribe the necessary fines and penalties for any violation of this provision.

Resolved, (if the Assembly concur,) That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

Mr. Blood moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

After debate thereon—

On motion of Mr. Ramsey, said special order was postponed until Friday next, at 12 M.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of James McCue, Simon Schermerhorn and Daniel D. Campbell," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was re-referred the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Blood moved to reconsider the vote on the bill entitled "An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line," and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Montgomery	Richmond	
Blood	Grant	Lawrence	Munroe	Sessions	
Fiero	Ketcham	McGraw	Ramsey	Warner	15

FOR THE NEGATIVE.

Abell	Ferry	Hillhouse	J. M. Murphy	Rotch	
Colvin	Gardiner	Kelly	P. P. Murphy	Spinola	
Connolly	Hammond	Manierre	Prosser	Truman	15

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	Munroe	Sessions	
Blood	Hillhouse	Lawrence	Ramsey	Warner	
Fiero	Kelly	McGraw	Richmond	Williams	
Goss	Ketcham	Montgomery			15

FOR THE NEGATIVE.

Abell	Ferry	Manierre	Prosser	Spinola	
Colvin	Gardiner	J. M. Murphy	Rotch	Truman	
Connolly	Hammond	P. P. Murphy			15

Mr. Sessions moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	McGraw	Ramsey	Sessions	
Blood	Kelly	Montgomery	Richmond	Warner	
Fiero	Lawrence	Manroe	Robertson	Williams	16

FOR THE NEGATIVE.

Abell	Ferry	Hillhouse	P. P. Murphy	Spinola	
Colvin	Gardiner	Manierre	Prosser	Traman	
Connolly	Hammond	J. M. Murphy	Rotch		14

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

THURSDAY, FEBRUARY 28, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Porter.

The journal of yesterday was read and approved.

Mr. Richmond presented a petition of citizens of Rensselaer county, for State aid to the Lebanon Springs railroad, which was read and referred to the committee on finance.

Mr. McGraw presented a remonstrance of citizens of Cortland county, against passage of the bill in relation to county treasurers, which was read and committed to the committee of the whole.

Mr. Munroe presented a petition of Samuel George, an Onondaga chief, asking for relief, which was read and referred to the committee on Indian affairs.

Mr. Ketcham presented a petition of citizens of Dutchess county, for aid to Lebanon Springs railroad, which was read and referred to the committee on finance.

Mr. Goss presented a petition of Francis M. McFarlan, of the city of Rochester, for relief, which was read and referred to the committee on claims.

Mr. Lawrence presented a petition of inhabitants of Richmond county, for a portion of the battery in New York, for ferry purposes, which was read and referred to the committee on commerce and navigation.

Mr. Hillhouse presented a petition of citizens of Ontario county, for an act for the preservation of fish in Canandaigua lake, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Fiero, from the majority of the committee on militia and public defence, to which was referred the bill entitled "An act to promote and encourage the efficiency of officers of the militia, by limiting the tenure of office therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the petition of F. P. Root and others, for the passage of an act to make the office of county clerk in Monroe county a salaried office, reported by bill entitled "An act to confer upon the board of supervisors of Monroe county certain powers relative to the office of clerk of said county," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act relative to contracts by the mayor, aldermen and commonalty of the city of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act to incorporate the New York Navigation and Colonization company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Rochester Historical Society," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,'" and further to provide for the construction, maintenance and government of the said park," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the University of Brooklyn."

"An act to amend an act entitled 'An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan.'"

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson.'"

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act relative to the presentation and auditing of accounts against the county of Monroe by the board of supervisors of said county."

"An act to incorporate the German Hospital, in the city of New York."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act making an appropriation for the payment of the services and expenses of the commissioners and clerk appointed by the act chapter 465, of the Laws of 1860, relating to the damages at Quarantine," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to authorize the election of a police justice in the town of Saugerties, Ulster county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and said bill was referred to the committee on internal affairs of towns and counties, to report complete.

"An act in relation to the capital stock of the Elmira Umbrella Frame Manufacturing company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act to provide for draining 'Deer Ridge' or 'Wine Creek' swamp, in the town of Scriba, in the county of Oswego," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to authorize the procuring of places for holding courts in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to authorize the common council of the city of Utica to pay the floating debt of said city, to borrow the amount of such debt upon the corporate bonds of said city, and to levy and collect a tax for the redemption of such bonds."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to incorporate the veterans of the National Guard, seventh regiment, first division, New York State Militia."

"An act to authorize the erection of posts, with the necessary appendages for rope ferries."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Goss, from the committee on roads and bridges, to which was referred the bill entitled "An act to constitute the village of Hanibal, in the county of Oswego, a separate road district," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had passed, notwithstanding the objections of the Governor, the Assembly bill entitled as follows:

"An act to extend the time for the collection of taxes in Oneida county."

The communication from the Governor having been read—

The President put the question "Shall the bill become a law notwithstanding the objections of the Governor?" and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Prosser	Sessions
Bell	Gardiner	Lapham	Ramsey	Spinola
Blood	Gant	Lawrence	Richmond	Truman
Colvin	Hammond	Manierre	Robertson	Warner
Connolly	Hillhouse	Montgomery	Rotch	Williams
Ferry	Kelly	Munroe		

28

FOR THE NEGATIVE.

Goss	McGraw	P. P. Murphy	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, notwithstanding the objections of the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to authorize the city of Troy to raise money by tax, and to borrow money," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Richmond and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Grant	McGraw	Prosser	Sessions
Blood	Hammond	Manierre	Ramsey	Spinola
Colvin.	Kelly	Montgomery	Richmond	Truman
Connolly	Ketcham	Munroe	Robertson	Warner
Fiero	Lapham	P. P. Murphy	Rotch	Williams
Goss	Lawrence			

27

On motion of Mr. Richmond and by unanimous consent, the rules were suspended and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate had concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act relating to executions, processes, and other proceedings against certain insolvent debtors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act to amend article 3d, of title 1, of chapter 5, of part second of the Revised Statutes, entitled 'Of voluntary assignments, made pursuant to the application of an insolvent and his creditors;' also, article 7, of title 1, of chapter 5, of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act to repeal chapter 466 of the Laws of 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. Hammond asked and obtained leave to introduce a bill entitled "An act to incorporate the Metropolitan Cab company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Truman from the committee on claims, to which was referred the bill entitled "An act to amend chapter 398 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downas and Seabury S. Gould,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Rotch from the committee on agriculture, to which was referred the petition of John T. Hildreth for an act to restrain the sale of impure milk, reported by bill entitled "An act to prevent the adulteration of milk, and to stop the traffic in 'swill-milk,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 69 of the Laws of 1853, entitled 'An act extending the time for the collection of town taxes when stayed by injunction or otherwise,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to amend the act entitled 'An act in relation to the Grosvenor Library of the city of Buffalo,' passed April 11, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, February 26, 1861.

TO THE SENATE—I submit herewith copies of the following papers received by me under cover, with the letter of the Governor of Kansas, viz:

Memorial of the Legislative Assembly of the Territory of Kansas.

Letter of J. M. Beebe, Governor Territory of Kansas.

Letter of C. Robinson, Governor elect of Kansas.

Letter of W. F. M. Arney, General Shipping Agent for Kansas relief.

Report of joint committee on memorial on behalf of the suffering in Kansas.

Circular to the friends of suffering humanity.

Receipts for relief of Kansas. Wants of the people. Kansas.

E. D. MORGAN.

Which were laid on the table and ordered printed.

(See Doc. No. 48.)

The third reading of the bill entitled "An act to incorporate the German Hospital in the city of New York," having been announced—

On motion of Mr. Manierre and by unanimous consent, said bill was amended by striking out the word "and" in section 2, and inserting the word "by."

Also, insert the following as an additional section:

"§ 10. This act shall be subject to the provisions of the act relating to wills, passed April 13, 1860."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Grant	McGraw	P. P. Murphy	Sessions
Colvin	Hammond	Manierre	Prosser	Truman
Fiero	Kelly	Montgomery	Ramsey	Warner
Gardiner	Ketcham	Munroe	Rotch	Williams
Goss	Lapham			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act relative to local improvements in the city of Brooklyn," having been announced—

On motion of Mr. Spinola and by unanimous consent, said bill was amended, by inserting the following as additional sections:

Sec. 9. It shall be the duty of the comptroller of the city of Brooklyn, forthwith to ascertain and report to the common council of said city, the total amount of all assessment certificates heretofore issued to contractors and others, for and on account of any contract for which an assessment has been levied and confirmed, and which certificates, or any part thereof are still due and unpaid, together with the interest which has

accrued thereon, and in case there should be any certificates where there has been no time mentioned for the computation of interest, he shall compute the interest thereon from four months after the time of the confirmation of the assessment on account of which they were issued; and upon receiving the report above named, the common council shall within thirty days thereafter, by resolution, direct the mayor, comptroller and city clerk, to issue under the city seal bonds for the amount of the principal and interest of the certificates above named, payable in not less than thirty nor more than forty years from their date, with interest at seven per cent per annum, payable semi-annually, which said bonds shall be sold at not less than par, and out of the proceeds of the sale of said bonds the comptroller shall pay the principal and interest of said certificates.

Sec. 10. The amount of all assessments for local improvements in said city remaining unpaid, and on account of which any of the certificates mentioned in the preceding section shall have been issued, together with all defaults and interest due and to grow due on said unpaid assessments, are hereby specially appropriated and set apart for the payment of the principal and interest of the bonds mentioned in the preceding section, and in case of any error or irregularity in any of the proceedings relative to said assessments which may hinder and delay the collection thereof, the common council are hereby authorized to correct such error or irregularity and to issue new warrants for the collection of the same.

Sec. 11. In any case where an assessment for a local improvement in said city has been heretofore levied and confirmed, and the whole or a part of which remains unpaid, the common council of said city shall have power (if they shall be satisfied that injustice has heretofore been done to the parties assessed,) to direct a new assessment to be levied for the amount remaining unpaid, with the interest thereon, and they may enlarge and extend the district heretofore assessed as they may deem just and equitable, and the board of assessors in levying and apportioning said new assessment shall credit all parties who may have paid the previous assessment with the amounts so paid by them respectively, and their property shall be liable only for the balance (if any) of the new assessment, over and above the amounts so paid by them respectively; and all proceedings for levying, confirming and collecting said new assessment, shall be as is now provided by law.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	P. P. Murphy	Rotch
Bell	Goss	Lapham	Prosser	Sessions
Blood	Grant	Lawrence	Ramsey	Spinola
Colvin	Hammond	Manierre	Richmond	Truman
Cennolly	Hillhouse	Montgomery	Robertson	Warner
Fiero	Kelly	Munroe		

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Truman moved to take from the table the bill entitled "An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Blood and by unanimous consent, said bill was amended by inserting in line five, printed bill, after the word "Pennsylvania," the words "said route to be decided by the Canal Board."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lawrence	Prosser	Rotch
Blood	Goss	Manierre	Ramsey	Spinola
Colvin	Hammond	P. P. Murphy	Robertson	Truman
Connolly	Kelly			

17

FOR THE NEGATIVE.

Bell	Hillhouse	McGraw	Richmond	Warner
Fiero	Ketcham	Montgomery	Sessions	Williams
Grant	Lapham	Munroe		

18

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the election of a police justice in the town of Sangerties, Ulster county," with power to report complete, reported the same complete, with an amendment.

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Montgomery	Robertson
Bell	Gardiner	Ketcham	Munroe	Sessions
Blood	Goss	Lapham	Prosser	Spinola
Colvin	Hammond	McGraw	Richmond	Warner
Connolly	Hillhouse	Manierre		

23

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and the Clerk ordered to return said bill to the Assembly immediately, with a message informing that the Senate had concurred in the passage of the same, with an amendment.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lawrence	P. P. Murphy	Sessions
Bell	Goss	McGraw	Prosser	Spinola
Colvin	Hammond	Manierre	Richmond	Warner
Connolly	Hillhouse	Montgomery	Robertson	Williams
Fiero	Ketcham	Munroe	Rotch	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the resolutions reported by the select committee on federal relations.

Mr. Fiero moved that said special order be postponed fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act relative to the presentation and auditing of accounts against the county of Monroe, by the board of supervisors of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Sessions
Bell	Goss	Lawrence	P. P. Murphy	Spinola
Colvin	Hammond	McGraw	Prosser	Warner
Connolly	Hillhouse	Manierre	Richmond	Williams
Fiero	Kelly	Montgomery	Robertson	24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to vest certain privileges in the freeholders and inhabitants of the village of Monticello, in the county of Sullivan,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Grant	Ketcham	Manierre	Richmond
Bell	Hammond	Lapham	Montgomery	Rotch
Blood	Hillhouse	Lawrence	Munroe	Spinola
Colvin	Kelly	McGraw	Prosser	Warner
Connolly				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to incorporate the University of Brooklyn," having been announced—

On motion of Mr. Spinola and by unanimous consent, said bill was amended by inserting the following as an additional section:

§ 10. This act shall be subject to the provisions of the act relating to wills, passed April 13, 1860."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	Munroe	Rotch
Bell	Hammond	McGraw	P. P. Murphy	Sessions
Blood	Hillhouse	Manierre	Prosser	Spinola
Fiero	Lapham	Montgomery	Robertson	Warner
Gardiner				21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Spinola moved that the bill entitled "An act in relation to the Department of Finance in the city of New York," now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Clerk was proceeding to the third reading of said bill, when

Mr. Spinola moved to recommit, with instructions to amend by striking out section 2, engrossed bill, in the words following:

Sec. 2. The chamberlain shall keep regular books, showing a complete account of the business of his office, as well as the amounts paid on account of the several appropriations; and no warrant shall be paid on account of any appropriation after the amount authorized to be raised by tax for that specific purpose shall have been expended; he shall also report to the head of said department, from time to time as he shall direct, the amount of moneys received or paid out by the said chamberlain for the periods embraced in said report, together with such other information in relation to the transactions of said bureau, as the head of said department may require; and the said chamberlain, as well as the present chamberlain, appointed December twenty-fourth, eighteen hundred and sixty, shall hold his office for the term of two years from the date of his appointment, and until his successor shall be duly appointed and qualified, and the said chamberlain shall hereafter be appointed by the finance department.

And insert in lieu thereof the following:

Sec. 2. The chamberlain shall keep regular books, showing a complete account of the business of his office, as well as the amounts paid on account of the several appropriations; and no warrant shall be paid on account of any appropriation after the amount authorized to be raised by tax for that specific purpose shall have been expended; he shall also report to the head of said department, from time to time as he shall direct, the amount of moneys received or paid out by the said chamberlain for the periods embraced in said report, together with such other information in relation to the transactions of said bureau, as the head of said department may require; and the said chamberlain shall hereafter be appointed by the head of said finance department, and shall hold his office for the term of four years from the date of his appointment, and until his successor shall be duly appointed. The first appointment of a chamberlain as aforesaid shall be made within ten days after this act takes effect, and the chamberlain then in office shall continue in office until the person so appointed shall have taken the oath of office, and given the security required by law, and no longer."

And to report the same back to the Senate forthwith.

Mr. Colvin moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Prosser	Rotch	
Blood	Grant	McGraw	Ramsey	Sessions	
Colvin	Kelly	Munroe	Robertson	Warner	15

FOR THE NEGATIVE.

Abell	Gardner	Ketcham	Montgomery	Spinola	
Connolly	Hammond	Lapham	P. P. Murphy	Williams	
Fiero	Hillhouse	Manierre	Richmond		14

The President announced the special order, being the consideration of the resolutions reported by the select committee on federal relations.

Pending the question—

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

FRIDAY, MARCH 1, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pohlman.

The journal of yesterday was read and approved.

Mr. Fiero presented a petition of citizens of Greene county, for an appropriation of five hundred dollars to erect a monument to the memory of Barnard Statts Salisbury, which was read and referred to the committee on finance.

Mr. Colvin presented a petition of John Percy, in relation to his improved shot and bomb, which was read and referred to the committee on militia and public defence.

Mr. P. P. Murphy presented a petition of school commissioners and members of boards of education, to purchase State Map and Gazetteer, which was read and referred to the committee on literature.

Mr. Warner presented a petition of citizens of Parish, Oswego county, for an amendment of the game law, so as to prohibit the taking or killing of mink between the 1st day of March and the 20th day of October, in each year, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Ketcham presented four petitions of citizens of Columbia and Dutchess counties, for State aid to Lebanon Springs railroad, which were read and referred to the committee on finance.

Mr. Richmond presented a petition of citizens of Rensselaer county, on same subject, which was read and referred to the committee on finance.

Mr. Ketcham, from the committee on State prisons, to which was referred the bill entitled "An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to provide for furnishing copies of the New York State Map and Gazetteer to the several school districts of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act making an appropriation for the payment of the services and expenses of the commissioners and clerk appointed by the act chapter 465, of the Laws of 1860, relating to the damages at Quarantine," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the petition of Peter Wilson for an adjustment of the claims of the Cayuga Nation of Indians, reported in writing, and by bill entitled "An act to establish a fund for the benefit of the Cayuga Nation of Indians residing in this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

(See Doc. No. 49.)

On motion of Mr. Montgomery and by unanimous consent, the petition of Peter Wilson, in relation to said claim, was ordered to be printed.

(See Doc. No. 50.)

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to authorize the election of a police justice in the town of Saugerties, Ulster county."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act relative to contracts by the mayor, aldermen and commonalty of the city of New York."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills :

"An act to establish free schools in the village of Ithaca," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act further to amend an act to facilitate the forming of agricultural and horticultural societies, passed April 13, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to confirm the acts of M. M. Olmstead, as superintendent of the poor of Cayuga county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Williams and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, in the year 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Bell, from the committee on manufactures, to which was referred the Assembly bill entitled "An act in relation to the capital stock of the 'Elmira Umbrella Frame Manufacturing company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Spinola gave notice that he would at an early day ask leave to introduce a bill to amend the excise laws of the State, so far as they relate to the city of Brooklyn.

The bill entitled "An act relative to contracts by the mayor, aldermen and commonalty of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Rotch
Blood	Grant	McGraw	Prosser	Sessions
Colvin	Kelly	Manierre	Ramsey	Spinola
Connolly	Ketcham	Montgomery	Richmond	Warner
Fiero	Lapham	Munroe	Robertson	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Ferry moved that his request to record his name in the affirmative on the bill entitled "An act to provide for the extension of the Chenango canal from its present termination, at or near the village of Binghamton, to the North Branch canal, at the State line," be entered upon the journal.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Manierre moved that the bill entitled "An act for the better protection of steamboat piers in the city of New York," be recommitted to the committee on commerce and navigation, with instructions to report on Wednesday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Munroe offered the following resolution :

Resolved, That 1,000 extra copies of the report of the Bank Superintendent, on savings banks, be printed for the use of the Senate.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Munroe offered the following resolution :

Resolved, That there be printed for the use of the Senate 3,000 extra copies of the annual report of the Auditor of the Canal Department, on the trade, tolls and tonnage of the canals.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the county of Westchester,' passed April 16, 1860," be recommitted to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Rotch—

Resolved, That the Senate hold a special session this afternoon at four o'clock, for the consideration of general orders.

Mr. Hammond offered the following resolution :

Resolved, (if the Assembly concur,) That the Commissioners appointed by the Legislature to the Convention of States at Washington, be requested to report their proceedings to the Legislature at their earliest leisure.

Ordered, That said resolution be laid on the table.

Mr. Goss moved to take from the table the following concurrent resolutions :

Whereas, Under the treaty made by the United States with Great Britain, on behalf of the British North American Colonies, for the purpose of extending reciprocal commerce, nearly all the articles which Canada has to sell are admitted into the United States free of duty, while heavy duties are now imposed upon many of those articles which the United States have

to sell; with the intention of excluding the United States from the Canadian markets, as avowed by the Minister of Finance and other gentlemen holding high official positions in Canada; and similar legislation, with the same official avowal, has been adopted by the imposition of discriminating tolls and duties in favor of an isolating and exclusive policy against our merchants and forwarders, meant and intended to destroy the natural effects of the treaty, and contrary to its spirit; and,

Whereas, We believe that free commercial intercourse between the United States and the British North American Provinces and possessions, developing the natural, geographical and other advantages of each for the good of all, is conducive to the present interests of each, and is the only proper basis of our intercourse for all time to come; and,

Whereas, The President of the United States, in the first session of the 36th Congress, caused to be submitted to the House of Representatives an official report setting forth the gross inequality and injustice existing in our present intercourse with Canada, subversive of the true intent of the treaty, owing to the subsequent legislation of Canada; and,

Whereas, The first effects of a system of retaliation or reprisals would injure that portion of Canada known as the Upper Province, whose people have never failed in their efforts to secure a permanent and just policy for their own country and ourselves, in accordance with the desire officially expressed by Lord Napier, when British Minister at Washington, for the "confirmation and expansion of free commercial relations between the United States and the British Provinces:" therefore,

Resolved, (if the Assembly concur,) That the Senators and Representatives in Congress for the State of New York, are requested to take such steps, either by the appointment of Commissioners to confer with persons properly appointed on behalf of Canada or by such other means as may seem most expedient, to protect the interests of the United States from the said unequal and unjust system of commerce now existing, and to regulate the commerce and navigation between "Her Majesty's possessions in North America and the United States, in such manner as to render the same reciprocally beneficial and satisfactory," as was intended and expressed by the treaty; and,

Resolved, (if the Assembly concur,) That the foregoing preamble and resolutions be transmitted to our Senators and Representatives in Congress, with a request that they be presented to both Houses thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolutions, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Prosser	Rotch	
Ferry	Hillhouse	Montgomery	Ramsey	Sessions	
Fiero	Ketcham	Munroe	Richmond	Williams	
Goss	Lapham	P. P. Murphy			18

FOR THE NEGATIVE.

Blood	Connolly	Grant	Lawrence	Spinola	
Colvin	Gardiner				7

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

Mr. Grant moved to take from the table the following resolution:

Resolved, That a committee of three be appointed by the Chair, to investigate the charges made against the New York Harbor Masters, with power to send for persons and papers, and to report in executive session.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	P. P. Murphy	Rotch
Blood	Grant	Lawrence	Prosser	Sessions
Colvin	Hammond	Manierre	Ramsey	Spinola
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Ketcham	Munroe	Robertson	Williams
Fiero				

26

FOR THE NEGATIVE.

McGraw

1

Mr. Hammond moved to amend by striking out the words " and to report in executive session."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Hillhouse moved that the Assembly bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the first day of October, 1861," be printed as passed the Assembly.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin called for the consideration of the concurrent resolutions reported by the select committee on federal relations.

Pending the question on the adoption of said resolutions, the hour of 12 o'clock having arrived, the President announced the special order, being the concurrent resolutions to amend the Constitution so as to prohibit the sale of intoxicating liquors as a beverage.

Mr. Colvin moved to postpone said special order for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Goss moved to postpone said special order until to-morrow at 12 m.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

The Senate then resumed the consideration of the resolutions pending at the hour of 12 o'clock.

Mr. Spinola moved to postpone the further consideration of said resolutions until Thursday next at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola, from the select committee consisting of the Senators from the county of Kings, to which was recommitted the bill entitled "An act to authorize the Brooklyn Central and Jamaica railroad company, to extend their tracks through Furman street to Fulton street," with power to report complete, reported that they have made some amendments thereto, and amended the title so as to read as follows: "An act to confirm an agreement between the Brooklyn City railroad company and the Brooklyn Central and Jamaica railroad company," and in favor of the passage of the same, as amended.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Manierre	Prosser	Sessions
Blood	Gardiner	Montgomery	Richmond	Spinola

Colvin
Connolly
Ferry

Hammond
Kelly
Lawrence

Munroe
J. M. Murphy
P. P. Murphy

Robertson
Rotch

Warner
Williams

23

FOR THE NEGATIVE.

Goss

Grant

Hillhouse

3

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly immediately, and request their concurrence therein.

Mr. McGraw offered the following resolution :

Resolved, That 1,000 copies of the Comptroller's reply to the resolution of the Senate in relation to the payment of the State tax by the county treasurers, be printed for the use of the Senate, and 500 copies for the use of the Comptroller.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Lawrence, the Senate proceeded to the consideration of the annual message of his Excellency the Governor.

After debate thereon—

Mr. P. P. Murphy moved that said special order be postponed for five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. P. P. Murphy and by unanimous consent—

Whereas, Section 11, art. 3 of the Constitution declares that "neither House shall, without the consent of the other, adjourn for more than two days;" therefore,

Resolved, That the consent of the Hon. Assembly be asked for the Senate to adjourn from and after to-day to Thursday the 7th of March.

On motion of Mr. Lapham and by unanimous consent, the rules were suspended and said resolution was ordered transmitted to the Assembly immediately.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to confirm an agreement between the Brooklyn City railroad company and the Brooklyn Central and Jamaica railroad company."

The Senate resumed the consideration of the annual message of his Excellency the Governor.

After debate thereon—

On motion of Mr. Lawrence, said special order was postponed until Thursday next at 12 m.

The Assembly returned the resolution asking consent to allow the Senate to adjourn until Thursday 7th instant, with a message that they had granted such consent.

The hour of fifteen minutes to two having arrived, the President announced that the Senate would take a recess until four o'clock.

FOUR O'CLOCK.

The Senate again met:

By unanimous consent, Mr. P. P. Murphy had leave to offer the following resolution :

Resolved, That when the Senate adjourns to-day, it will adjourn to meet on Thursday next at 10 o'clock A. M.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Connolly	Hammond	Manierre	Prosser	Spinola	
Gardiner	Kelly	P. P. Murphy	Ramsey	Warner	
Grant	Lapham				12

FOR THE NEGATIVE.

Goss	Ketcham	Montgomery	Richmond	Rotch	
Hillhouse	Lawrence	Munroe	Robertson	Sessions	10

By unanimous consent, Mr. Goss moved to reconsider the vote making the concurrent resolutions to amend the Constitution so as to prohibit the sale of intoxicating liquors as a beverage, a special order for to-morrow at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss moved to amend by striking out "to-morrow" and inserting in lieu thereof the words "one week from Wednesday next."

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending when the Senate adjourned on Tuesday, being the bills entitled as follows:

"An act for the relief of the New York State Inebriate Asylum, and for other purposes,"

"An act concerning the navigation of the canals and the collection of tolls."

"An act in relation to the State Arsenal and lands in the city of Brooklyn."

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Montgomery, from the same committee, reported in favor of the passage of the second named bill, with amendments.

Mr. Warner renewed the motion made in committee of the whole, to amend by striking out the word "eight" in section 1, and inserting in lieu thereof the word "six."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Connolly	Goss	Lawrence	Prosser	Sessions	
Ferry	Hillhouse	Munroe	Robertson	Warner	
Gardiner	Ketcham	P. P. Murphy	Rotch	Williams	15

FOR THE NEGATIVE.

Hammond	Montgomery	Ramsey	Richmond	Spinola	6
Lapham					

The President then put the question whether the Senate would agree to the report of the committee of the whole, as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. Montgomery, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the common council of the city of Brooklyn to provide for the payment of a deficiency in the revenue of the city of Brooklyn," with power to report com-

plete, reported that they have made amendments thereto, and amended the title so as to read as follows: "An act supplemental to an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," and as amended, reported the same complete and recommended its passage, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act further to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as the same relates to the village of Tonawanda, Erie county," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy moved that the Assembly bill entitled "An act making an appropriation for the payment of the services and expenses of the commissioners and clerk appointed by the act chapter 465, of the Laws of 1860, relating to the damages at Quarantine," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act making an appropriation for the payment of the services and expenses of the commissioners and clerk appointed by the act chapter 465, of the Laws of 1860, relating to the damages at Quarantine."

"An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park."

Assembly bill, "An act to amend chapter 606 of the Laws of 1857."

After some time spent therein, the President resumed the chair, and Mr. Prosser, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Prosser, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Ramsey moved that the bill entitled "An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties,'" be ordered read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Spinola moved that all bills ordered to a third reading be now read a third time.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The bill entitled "An act for the relief of the New York State Inebriate Asylum, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Munroe	Ramsey	Sessions
Connolly	Hillhouse	J. M. Murphy	Robertson	Warner
Fiero	Ketcham	Prosser	Rotch	Williams
Goss	Montgomery			

17

FOR THE NEGATIVE.

Gardiner	Lapham	Lawrence
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States," be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled an act supplemental to an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Munroe	Ramsey	Sessions
Connolly	Hillhouse	J. M. Murphy	Richmond	Spinola
Ferry	Ketcham	P. P. Murphy	Robertson	Warner
Fiero	Lawrence	Prosser	Rotch	Williams
Gardiner	Montgomery			

22

FOR THE NEGATIVE.

Goss

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Ramsey	Sessions
Ferry	Hillhouse	Munroe	Richmond	Spinola
Fiero	Ketcham	J. M. Murphy	Robertson	Warner
Gardiner	Lapham	P. P. Murphy	Rotch	Williams
Goss	Lawrence	Prosser		

23

FOR THE NEGATIVE.

Connolly

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act making an appropriation for the payment of the services and expenses of the commissioners and clerk ap-

pointed by the act, chapter 465 of the Laws of 1860, relating to the damages at Quarantine," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Connolly	Hillhouse	Montgomery	Prosser	Sessions
Ferry	Ketcham	Munroe	Ramsey	Spinola
Fiero	Lapham	J. M. Murphy	Robertson	Warner
Goss	Lawrence	P. P. Murphy	Rotch	Williams
Hammond				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Connolly	Hammond	Montgomery	Ramsey	Sessions
Ferry	Hillhouse	Munroe	Richmond	Spinola
Fiero	Ketcham	J. M. Murphy	Robertson	Warner
Gardiner	Lapham	P. P. Murphy	Rotch	Williams
Goss	Lawrence	Prosser		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Connolly	Hammond	Lawrence	Prosser	Robertson
Fiero	Hillhouse	Montgomery	Ramsey	Sessions
Gardiner	Ketcham	Munroe	Richmond	Warner
Goss	Lapham	P. P. Murphy		

18

FOR THE NEGATIVE.

Spinola Williams

2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend chapter 606 of the Laws of 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Connolly	Goss	Lawrence	Prosser	Sessions
Ferry	Hammond	Montgomery	Ramsey	Spinola
Fiero	Hillhouse	Munroe	Robertson	Warner
Gardiner	Lapham	J. M. Murphy		

18

FOR THE NEGATIVE.

Ketcham Williams

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act concerning the navigation of the canals and the collection of tolls," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Prosser	Sessions
Connolly	Hammond	Montgomery	Ramsey	Spinola
Ferry	Hillhouse	J. M. Murphy	Richmond	Warner
Fiero	Ketcham	P. P. Murphy	Robertson	Williams
Gardiner	Lapham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Spinola presented a petition of H. B. Dur-yea, for the passage of an act to lay out and establish a parade ground in the county of Kings, which was read and referred to the committee on militia and public defence.

By unanimous consent, Mr. Hammond moved that the bill entitled "An act to amend the act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases," be recommitted to the committee on insurance companies, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment :

"An act to confirm an agreement between the Brooklyn City railroad company and the Brooklyn Central and Jamaica railroad company."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill :

"An act to amend an act entitled 'An act for the better regulation of the firemen in the city of New York,' passed March 29, 1855," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Connolly and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Prosser	Sessions
Connolly	Ketcham	Munroe	Ramsey	Spinola

Ferry	Lapham	J. M. Murphy	Richmond	Warner	
Fiero	Lawrence	P. P. Murphy	Robertson	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to create a board of commissioners of appeals of the New York Fire department," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Connolly and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	P. P. Murphy	Sessions	
Connolly	Goss	Montgomery	Prosser	Spinola	
Ferry	Hillhouse	Munroe	Ramsey	Warner	
Fiero	Ketcham	J. M. Murphy	Robertson	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend an act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Montgomery moved that the bill entitled "An act conferring additional corporate powers upon Malone village," be recommitted to the committee on incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of said park."

"An act for the relief of the New York State Inebriate Asylum, and for other purposes."

"An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties.'"

"An act concerning the navigation of the canals and the collection of tolls."

"An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States."

"Concurrent resolutions of the Legislature of the State of New York, in relation to the treaty between the United States and Great Britain, commonly known as the Reciprocity Treaty."

Mr. Fiero moved to reconsider the vote by which the resolution to adjourn until Thursday next was adopted.

Mr. Spinola moved that the Senate do now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	J. M. Murphy	Ramsey	Spinola	
Connolly	Hillhouse	P. P. Murphy	Richmond	Williams	
Gardiner	Lapham	Prosser			18

FOR THE NEGATIVE.

Fiero	Ketcham	Munroe	Sessions	Warner	
Goss	Montgomery	Robertson			8

The President declared the Senate adjourned until Thursday, March 7, at 10 o'clock.

THURSDAY, MARCH 7, 1861.

The Senate met pursuant to adjournment.

The President being absent, the Senate was called to order by the Clerk.

On motion of Mr. Ramsey—

Resolved, That Hon. P. P. Murphy be chosen President *pro tem* for this day.

No clergyman being present.

The journal of Friday last was read and approved.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York,' " be recommitted to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Bell presented two petitions of citizens of Watertown, for an amendment of the Constitution so as to prohibit the sale of intoxicating liquors as a beverage, which were read and laid on the table.

Mr. Prosser, for Mr. P. P. Murphy, presented three remonstrances of citizens of Niagara county, against repeal of law extending term of service of supervisors of said county, which were read and referred to the committee on internal affairs of towns and counties.

Also, six petitions of citizens of same county, in favor of repeal of said law, which were read and referred to the committee on internal affairs of towns and counties.

Mr. Richmond presented three remonstrances of citizens of Washington county, against allowing railroads to abandon a portion of their roads, which were read and referred to the committee on railroads.

Also, a petition of citizens of Rensselaer county, for aid to build Lebanon Springs railroad, which was read and referred to the committee on finance.

Mr. Colvin presented a remonstrance of citizens of Washington county, against allowing railroad companies to abandon portions of their road, which was read and referred to the committee on railroads.

Mr. Ramsey presented a petition of citizens of Schenectady, for an amendment to the charter of said city, which was read and committed to the committee of the whole.

Mr. Lawrence presented two petitions of citizens of Richmond county, asking for a portion of the Battery for ferry purposes, which were read and referred to the committee on incorporation of cities and villages.

On motion of Mr. Hammond, and by unanimous consent—

Resolved, That a committee of three be appointed to enquire and report to the Senate whether it be necessary to appoint a President *pro tem*, or whether the President *pro tem* appointed at the last session holds his office during the present session.

The President announced the judiciary committee as such committee.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to amend the act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases."

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act conferring additional corporate powers upon Malone village," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the petition of the commissioners for opening of Paca avenue, for an amendment of the opening act, reported by bill entitled "An act to amend an act entitled 'An act to provide for the opening of Paca avenue, in the county of Kings,' passed April 16, 1860," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act entitled 'An act to appoint commissioners for laying out that portion of the city and county of New York lying north of 155th street, and to change the plan of streets and avenues in that part of the city lying between 125th and 141st streets, east of the Tenth avenue and west of a line fifty feet east of the Old Kings Bridge road and running parallel with said road,' passed April 7, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to alter the commissioners' map of the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in relation to the abatement of nuisances in the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of New York,' passed April 14, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the bill entitled "An act for the sale of the Quarantine lands on Staten Island," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the petition of the Stockbridge Indians for relief, reported by bill entitled "An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide the means to pay the interest on the debt created under section 8 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act in relation to the Erie, the Oswego and Cayuga, and Seneca canals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to amend chapter 181 of the laws of 1860, entitled 'An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851.'"

"An act to incorporate the Female Academy of the Sacred Heart, of Albany."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to amend chapter 606 of the Laws of 1857."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend the charter of the Poughkeepsie and New Paltz ferry company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ketcham and by unanimous consent, the rules were suspended, and said bill was referred to the committee on commerce and navigation, to report complete.

"An act to amend an act entitled 'An act to elect overseers of highways in the town of Greenburgh, Westchester county, by districts,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to provide for reports from supervisors of towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the charter of the Great Western Insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to authorize Courts of Sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to repeal chapter 189 of the Laws of 1860, being 'An act to extend the term of office of the supervisors of Niagara county,' which

was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. P. P. Murphy and by unanimous consent, the rules were suspended and said bill was referred to the committee on internal affairs of towns and counties, to report complete.

"An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufactures.

"An act to amend section 36, of chapter 5, title 1, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hammond asked and obtained leave to introduce a bill entitled "An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson River railroad,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hammond and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the Queens County Savings bank,' passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended, and said bill was referred to the committee on banks, to report complete.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to provide for the better government of the common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act relating to the Lutheran cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran church, in said town," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ramsey and by unanimous consent, the rules were suspended and said bill was referred to the committee on charitable and religious societies, to report complete.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to prevent and punish cruelty to animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act concerning the salt springs, and the manufacture of salt,' passed April 15, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the manufacture of salt.

The third reading of the bill entitled "An act to amend the act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases," having been announced—

Mr. Prosser moved to recommit said bill to the committee on insurance companies, with instructions to amend by striking out the first section of the bill, being in the words following, to wit :

Sec. 1. The second section of the act to establish an insurance department, is hereby amended by striking out from the fifth and sixth lines thereof, the following words : " He shall receive an annual salary of two thousand five hundred dollars," and inserting the words : " He shall receive the same annual salary as the Superintendent of the Bank Department."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Goss	Montgomery	Prosser	Truman	4
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FOR THE NEGATIVE.

Bell	Ferry	Hillhouse	Munroe	Robertson	
Blood	Fiero	Ketcham	J. M. Murphy	Spinola	
Colvin	Gardiner	Lapham	Ramsey	Warner	
Connolly	Hammond	Manierre	Richmond	Williams	20

Mr. Truman moved to recommit, with instructions to amend by striking out the words, " the same annual salary as the Superintendent of the Banking Department," and inserting in lieu thereof the words " an annual salary of four thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fiero	Montgomery	Richmond	Spinola	Truman	7
Gardiner	J. M. Murphy				

FOR THE NEGATIVE.

Bell	Goss	Ketcham	Munroe	Robertson	
Colvin	Hammond	Lapham	Prosser	Warner	
Connolly	Hillhouse	Manierre	Ramsey	Williams	
Ferry					16

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	J. M. Murphy	Robertson	
Blood	Gardiner	Lapham	P. P. Murphy	Spinola	
Colvin	Hammond	Manierre	Ramsey	Warner	
Connolly	Hillhouse	Munroe	Richmond	Williams	
Ferry					21

FOR THE NEGATIVE.

Goss	Lawrence	Montgomery	Prosser	Truman	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the county of Westchester,' passed April 16, 1860."

"An act supplemental to an act entitled 'An act to consolidate the cities

of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854."

The bill entitled "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the county of Westchester,' passed April 16, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	P. P. Murphy	Robertson
Blood	Goss	Montgomery	Prosser	Truman
Connolly	Hammond	Munroe	Ramsey	Warner
Ferry	Hillhouse	J. M. Murphy	Richmond	Williams
Fiero	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. J. M. Murphy offered the following preamble and resolution:

Whereas, It appears from a letter written by John A. Kennedy, General Superintendent of the Metropolitan Police, addressed to Geo. P. Kane, Marshal of Police of the city of Baltimore, dated February 28, 1861, and of which the following are extracts:

"I have had officers occasionally in your city, as I have had in others farther South, even Charleston, ever since these secession troubles began to show form. I presume in this I am not much ahead of our Southern friends. Not a few of the journeys have been undertaken while attending the movements of persons who were in this city and excited our suspicions while here. But no officer of mine has reported to me the actual existence of any band 'organized for the purpose of assassinating the President elect.'

"Although in the prosecution of their duty they may have deemed it advisable to associate themselves with the bodies denominated 'Southern Volunteers,' wherever they found them, they have not reported to me that even these bodies had resolved on assassination. Of course I regard them as dangerous organizations, and have not failed in obtaining every information in my power as to their locality, number, means of support, members, officers and movements.

"On some proximate day these points of intelligence may become valuable.

"Since Wednesday of last week up to Tuesday of this week, three hundred and twenty-seven of these men have left your city in squads, for service at the South, and I am advised that about two hundred more will leave during the present week.

"It has not appeared to me necessary to stop this movement else I should have notified you of it before. The parties are represented to me as being desperadoes of the worst kind, and whose departure from any community is the only good act they can perform.

"I will merely add, that when I read my letters on Friday morning, advising me that your department felt so secure from riot and disturbance on the arrival of the President elect, that only twenty men were to be on duty as an escort, I at once determined to call on you and endeavor to induce you to increase the number. But on my arrival, I was very happy to find my advice was not needed, and therefore I did not obtrude it on you."

From which it appears that the said Superintendent Kennedy, with other officers of the Metropolitan Police, have been employed beyond the limits

of the State of New York, without authority of law, in violation of the comity existing between the States of this Confederacy, and against the wishes of their people; therefore,

Resolved, That the board of Metropolitan Police Commissioners be requested to report to the Senate, as early as practicable, the names of all persons in the police department who have been employed in other States of the Union—the nature of their employment, together with their instructions, and correspondence, except such as relates to fugitives from justice, notorious criminals, and persons justly suspected of offences against the laws of this State.

Mr. Bell moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to change the name of Phillipina Wilhelmina Frederica Froelich, to Phillipina Wilhelmina Frederica Grossman," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Connolly—

Whereas, It is alleged that persons are habitually detained as prisoners unreasonably and unlawfully by the Metropolitan Police force; and that persons held in custody by said force as criminals or suspected persons are frequently discharged by officers of the force without being brought before a magistrate for examination; therefore, be it

Resolved, That the subject be referred to a select committee consisting of the Senators representing the Metropolitan Police district, to enquire into the practice of arrest, detention and discharge of persons by said force, to be reported at the earliest convenience of the committee; and that the committee have power to send for persons and papers.

Mr. Robertson moved that the bill entitled "An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Prosser moved that the bill entitled "An act for the protection of bridges belonging to the State or under its control," be recommitted to the committee on canals, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss moved that the bill entitled "An act to authorize the Commissioners for loaning the money of the United States for certain counties, to release the same in certain cases," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Gardiner moved that the bill entitled "An act to enable Ann Jane McClure to take, hold, convey, and devise real estate," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. J. M. Murphy moved that the bill entitled "An act to amend the charter of the New York Life Insurance company," be recommitted to the committee on insurance companies, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved that the bill entitled "An act providing compensation for Philip Phelps, Deputy Comptroller," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Manierre moved that the bill entitled "An act to repeal an act entitled 'An act to authorize the construction of a railroad track on South, West, and certain other streets in the city of New York,' passed April 17, 1860," be recommitted to the committee on the incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

Mr. Hammond moved that the bill entitled "An act for the relief of Lyman Gibson," be referred to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Goss moved that the bill entitled "An act to incorporate the Rochester Historical Society," be recommitted to the committee on literature, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The hour of 12 o'clock having arrived, the President announced the special order, being the consideration of the resolutions reported by the select committee on federal relations.

Mr. P. P. Murphy moved to postpone said special order until Thursday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the further special order, being the consideration of the annual message of his Excellency the Governor.

Mr. P. P. Murphy moved to postpone said special order until Thursday next at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. P. P. Murphy moved that the following entitled bills be referred to the second committee of the whole, to wit:

"An act for the relief of Horace Pierce, W. W. Baker, B. A. Son, William Van Horn and Roswell Kelsey."

"An act authorizing the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal in the town of Royalton, Niagara county."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Manierre moved that the bill entitled "An act in aid of the New York Juvenile Asylum," be recommitted to the committee on charitable and religious societies, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the acts of M. M. Olmsted as superintendent of the poor of Cayuga county," with power to report com-

plete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Spinola presented two remonstrances of Alderman Dennis O'Keefe and other residents of the 12th ward of the city of Brooklyn, against laying out a park in said ward, which were read and referred to the committee on incorporation of cities and villages.

By unanimous consent, Mr. Spinola moved that the bill entitled "An act to alter the commissioners' map of the city of Brooklyn," be recommitted to the committee on incorporation of cities and villages.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Hillhouse moved that the bill entitled "An act to enable the Warren County Agricultural Society to draw its proportion of money devoted to agricultural purposes, from the State treasury," be referred to the third committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. J. M. Murphy moved that the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, or chemical purposes,' passed February 17, 1848," be referred to the third committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond."

"An act to authorize the Commissioners for loaning the money of the United States for certain counties, to release the same in certain cases."

"An act providing compensation for Philip Phelps, Deputy Comptroller."

After some time spent therein, the President resumed the chair, and Mr. Warner, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Warner, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the same committee, reported in favor of striking out the enacting clause, in the last named bill.

Mr. Colvin moved to lay the question of agreeing to said report on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, and the bill was rejected.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act in aid of the New York Juvenile Asylum," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to amend the charter of the New York Life Insurance company," with power to report complete, reported the same

complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend the charter of the Poughkeepsie and New Paltz Ferry company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson for Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to elect overseers of highways in the town of Greenburgh, Westchester county, by districts,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Rochester Historical Society," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of the Academy of Music, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to enable Ann Jane McClure to take, hold, convey and devise real estate," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to repeal chapter 189 of the Laws of 1860, being an act to extend the term of office of the supervisors of Niagara county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Ferry moved that the Assembly bill entitled "An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, orphan asylum and missionary societies," be referred to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Lawrence moved that the bill entitled "An act for the relief of Josiah Blackwell," be referred to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Gardiner moved that the bill entitled "An act authorizing and requiring inspectors of elections and other officers to take certain affidavits required by the registry law," be referred to the third committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Warner moved that the bill entitled "An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public, of the city and county of Oswego," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. P. P. Murphy moved that the bill entitled "An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased," be referred to the fourth committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Warner moved that the Assembly bill entitled "An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of poor in Oswego county," be re-committed to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

FRIDAY, MARCH 8, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of yesterday was read and approved.

Mr. P. P. Murphy presented a petition of inhabitants of Orleans county, for a law to prohibit residents of this State going to Canada to marry whilst having a wife or husband living in the State, and not divorced, which was read and referred to the committee on the judiciary.

Mr. Hillhouse presented a petition of citizens of Ontario county, for the passage of a law for the preservation of fish in Canandaigua lake, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Truman presented a petition of Dudley S. Gregory and J. C. Bancroft Davis, for an amendment of the act providing for the reorganization of the New York and Erie railroad company, which was read and referred to the committee on railroads.

Mr. Bell presented a petition of the president, trustees and water commissioners of the village of Watertown, for an act authorizing the water commissioners to borrow money, which was read and referred to the committee on incorporation of cities and villages.

Mr. Colvin presented a remonstrance of police board of Albany, against passage of act designating places for holding the polls of election and appointing inspectors of election in certain cases, in said city, which was read and referred to the committee on incorporation of cities and villages.

Mr. Lawrence presented four petitions of inhabitants of Richmond county, for a portion of the Battery for ferry purposes, which were read and referred to the committee on incorporation of cities and villages.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson

River railroad," with power to report complete, reported the same complete.

Mr. Spinola moved that said bill be referred to the committee of the whole, and made the special order for Tuesday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public, of the city and county of Oswego," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 3d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments made pursuant to the application of an insolvent and his creditors;' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend the present law relating to the division of line fences between the owners of adjoining lands," reported that they have made sundry amendments thereto, and amended the title so as to read as follows: "An act in relation to division fences," and as amended, recommend its passage, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 36 of chapter 5, title 1, part 3 of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize Courts of Sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such courts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize the procuring of places for holding courts in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on claims, to which was referred the petition of Elisha Smedley for relief, reported by bill entitled "An act for the relief of Elisha Smedley," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the bill entitled "An act for the protection of bridges belonging to the State, or under its control," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Prosser, from the committee on canals, to which was recommitted

the bill entitled "An act to revive and extend an act respecting the appropriation of the waters of the Black river for the use of the Black River canal and Erie canal feeder, passed April 3, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of the poor in Oswego county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Warner, from the committee on charitable and religious societies, to which was referred the bill entitled "An act relating to the Lutheran cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran church, in said town," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

ALBANY, *March 5, 1861.*

TO THE SENATE—I approved the bills bearing the following titles, at the dates respectively named, to wit:

- January 9. "An act authorizing the correction of the official bond of William G. Dickinson, treasurer of the county of Franklin."
18. "An act to incorporate Vassar Female College."
18. "An act to authorize William Billingshurst and William C. Rowley to apply to the surrogate of Monroe county, for leave to sell the real estate of S. Marvin Hughes, deceased."
25. "An act to amend an act entitled 'An act to establish a Recorder's court in the city of Utica, and for other purposes,' passed May 7, 1844."
29. "An act authorizing the commissioners for loaning certain moneys of the United States, of Steuben county, to postpone the sale of certain premises lying in Schuyler county."
31. "An act making an appropriation to redeem State stock issued to the Auburn and Rochester railroad company."
31. "An act to authorize the board of supervisors of Richmond county to borrow \$36,000 upon the official bonds of the county."
- February 2. "An act relative to the attendance of petit jurors at county courts and courts of sessions."
5. "An act to amend an act entitled 'An act to legalize the State and county taxes in the county of Rensselaer for the year 1859, and to provide for the collection thereof, and to authorize the sale of lands in the city of Troy for unpaid State and county taxes,' passed April 10, 1860."
8. "An act to repeal the act passed January 28, 1860, entitled 'An act in relation to the poorhouse and paupers in Dutchess county.'"
13. "An act to amend an act entitled 'An act fixing the fees of justices of the peace in civil and criminal cases, and for other purposes,' passed April 17, 1860."

- Febru'y 13 "An act to amend an act in relation to documentary evidence, passed March 24, 1857."
13. "An act authorizing the county of Dutchess to purchase a lot of ground for the purpose of erecting a jail thereon, and to give its bond for the purchase money thereof, with interest thereon payable semi-annually."
 13. "An act making the office of county clerk, in the county of Clinton, a salaried office."
 13. "An act to amend chapter 432 of the laws of 1847, entitled 'An act in relation to the fees and compensation of certain public officers in the city and county of New York.'"
 14. "An act to enable the electors of the town of Poughkeepsie to vote by districts for town officers."
 16. "An act for the relief of the suffering people of Kansas."
 16. "An act to aid the Government of the United States in obtaining a loan of money upon its bonds."
 25. "An act to appropriate the proceeds of the State tax for the support of common schools, and to supply a deficiency in the appropriation for the year 1860."
 25. "An act to fix the salary of the city judge of the city of Brooklyn."
 26. "An act to amend section 1, chapter 701 of the laws of 1857, relative to the improvement of Westchester creek."
 28. "An act to amend an act entitled 'An act to revise the charter of the city of Auburn,' passed April 18, 1859."
 28. "An act to authorize the common council of the city of Utica to pay the floating debt of said city, to borrow the amount of such debt upon the corporate bonds of said city, and to levy and collect a tax for the redemption of such bonds, and to prevent the incurring of unauthorized debts hereafter."
 28. "An act to authorize the city of Troy to raise money by tax, and to borrow money."
 28. "An act to amend an act entitled 'An act to facilitate the dissolution of manufacturing corporations in the county of Herkimer, and to secure the payment of their debts without preference.'"
 28. "An act in relation to the support of the poor in the county of Herkimer."
 28. "An act to amend an act entitled 'An act to revise the charter of the city of Oswego,' passed April 16, 1860."
 28. "An act to change the name of the town of Union, in Monroe county, to the name of Hamlin."
 28. "An act to authorize the erection of posts, with the necessary appendages for rope ferries."
- March
1. "An act to authorize the election of a police justice in the town of Saugerties, Ulster county."
 2. "An act to create a board of commissioners of appeals of the New York fire department."
 2. "An act to amend an act entitled 'An act for the better regulation of the firemen in the city of New York,' passed March 29, 1855."
 4. "An act for the relief of the estate of Henry C. Goodwin deceased."
 4. "An act to incorporate the Columbia Agricultural and Horticultural Association."

March 4. "An act to fix the place of holding the annual town meeting in the town of North Castle, in the county of Westchester."

4. "An act making an appropriation for the payment of the services and expenses of the Commissioners and clerk appointed by the act, chapter 465 of the laws of 1860, relating to the damages at Quarantine."

E. D. MORGAN.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act to incorporate the New York Corn Exchange company, passed April 2, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented a communication from A. W. Whipple, Capt. Topographical Engineers, in relation to the cession of the "Sister Islands," in the St. Lawrence river, to the United States, for light house purposes, which was read and referred to the committee on the judiciary.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to enable Ann Jane McClure to take, hold, convey, and devise real estate."

"An act to incorporate The Rochester Historical Society."

"An act to amend the charter of the New York Life Insurance company."

"An act to authorize the Commissioners for loaning the money of the United States for certain counties, to release the same in certain cases."

"An act conferring additional corporate powers upon Malone village."

Mr. Ferry gave notice that he would at an early day move to suspend so much of the 26th rule as prohibits bills from being ordered to a third reading without being acted on in committee of the whole, for the purpose of allowing him to offer a resolution for a committee of eight, to whom shall be referred certain bills on the general orders.

Mr. Manierre gave notice that he would at an early day ask leave to introduce a bill to authorize the mayor, aldermen and commonalty of the city of New York, to extend certain streets between West 24th and West 31st streets, in said city, to the bulkhead line established by the act entitled "An act to establish bulkhead and pier lines for the port of New York, passed April 17, 1857."

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act increasing the number of constables in the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to incorporate the Veteran Scott Life Guard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia and public defence.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Monroe to levy a tax upon the town of Parma," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Goss and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Sessions
Blood	Goss	Lawrence	P. P. Murphy	Truman
Connolly	Grant	McGraw	Prosser	Warner
Ferry	Kelly	Montgomery	Ramsey	Williams
Fiero	Ketcham	Munroe	Richmond	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act to amend part 1st, title 13, chapter 18, section 87 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to authorize the water commissioner of Watertown, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

The bill entitled "An act to amend the charter of the New York Life Insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Prosser	Spinola
Connolly	Hillhouse	Munroe	Richmond	Truman
Ferry	Ketcham	J. M. Murphy	Robertson	Warner
Fiero	Lawrence	P. P. Murphy	Sessions	Williams
Gardiner	Manierre			

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Robertson and by unanimous consent, the rules were suspended and the committee of the whole discharged from the further consideration of the bill entitled "An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond," and the same was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Richmond	Truman
Colvin	Ketcham	Munroe	Robertson	Warner
Fiero	Lawrence	J. M. Murphy	Sessions	Williams
Goss	McGraw	P. P. Murphy	Spinola	

19

FOR THE NEGATIVE.

Lapham

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act conferring additional corporate powers upon Malone village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Fiero	Lapham	Montgomery	Sessions
Colvin	Goss	Lawrence	Munroe	Spinola
Connolly	Hammond	McGraw	J. M. Murphy	Truman
Ferry	Ketcham	Manierre	P. P. Murphy	Warner

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to confirm the official acts of M. M. Olmsted, a superintendent of the poor of Cayuga county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Montgomery	Richmond
Blood	Goss	Lapham	Munroe	Sessions
Colvin	Grant	Lawrence	J. M. Murphy	Truman
Connolly	Hammond	McGraw	P. P. Murphy	Warner
Ferry	Hillhouse	Manierre	Prosser	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the Commissioners for loaning the money of the United States for certain counties, to release the same in certain cases," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Ferry	Hillhouse	McGraw	J. M. Murphy	Richmond
Fiero	Kelly	Manierre	P. P. Murphy	Truman
Goss	Lapham	Montgomery	Prosser	Williams
Hammond	Lawrence			

17

FOR THE NEGATIVE.

Blood	Grant	Spinola	Warner
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to enable Ann Jane McClure to take, hold, convey, and devise real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Montgomery	Richmond
Blood	Goss	Lapham	Munroe	Sessions
Colvin	Grant	Lawrence	J. M. Murphy	Spinola
Connolly	Hammond	McGraw	P. P. Murphy	Truman
Ferry	Hillhouse	Manierre	Prosser	Warner
Fiero	Kelly			

27

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act in aid of the New York Juvenile Asylum."

The Assembly bill entitled "An act to amend the charter of the Poughkeepsie and New Paltz ferry company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	P. P. Murphy	Sessions
Colvin	Hillhouse	McGraw	Prosser	Spinola
Connolly	Kelly	Manierre	Richmond	Truman
Fiero	Ketcham	Montgomery	Robertson	Warner
Gardiner	Lapham	Munroe		

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act to incorporate The Rochester Historical Society," having been announced—

On motion of Mr. Truman and by unanimous consent, said bill was amended by inserting the following as an additional section:

"The corporation hereby created shall be subject to the provisions of the act relating to wills, passed April 13, 1860."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Munroe	Sessions
Blood	Goss	Lawrence	J. M. Murphy	Truman
Connolly	Hillhouse	McGraw	Prosser	Warner
Ferry	Kelly	Manierre	Robertson	Williams
Fiero	Ketcham	Montgomery		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to repeal chapter 189 of the Laws of 1860, being 'An act to extend the term of office of the supervisors of Niagara county,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Lawrence	Munroe	Ramsey
Connolly	Kelly	McGraw	J. M. Murphy	Sessions
Fiero	Ketcham	Manierre	P. P. Murphy	Warner
Gardiner	Lapham	Montgomery	Prosser	Williams
Goss				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in aid of the New York Juvenile Asylum," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Connolly	Hillhouse	McGraw	P. P. Murphy	Sessions
Fiero	Kelly	Manierre	Prosser	Truman
Gardiner	Lapham	Montgomery	Ramsey	Warner
Goss	Lawrence	J. M. Murphy	Robertson	Williams
Hammond				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act to amend section 8, article 2, title 5, part 4, chapter 1 of the Revised Statutes, concerning unlawful marriages and incest," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. M. Murphy moved to take from the table the following preamble and resolution:

Whereas, It appears from a letter written by John A. Kennedy, General Superintendent of the Metropolitan Police, addressed to Geo. P. Kane, Marshal of Police of the city of Baltimore, dated February 28, 1861, and of which the following are extracts:

"I have had officers occasionally in your city, as I have had in others farther South, even Charleston, ever since these secession troubles began to show form. I presume in this I am not much ahead of our Southern friends. Not a few of the journeys have been undertaken while attending the movements of persons who were in this city and excited our suspicions while here. But no officer of mine has reported to me the actual existence of any band 'organized for the purpose of assassinating the President elect.'

"Although in the prosecution of their duty they may have deemed it advisable to associate themselves with the bodies denominated 'Southern Volunteers,' wherever they found them, they have not reported to me that even these bodies had resolved on assassination. Of course I regard them as dangerous organizations, and have not failed in obtaining every information in my power as to their locality, number, means of support, members, officers and movements.

"On some proximate day these points of intelligence may become valuable.

"Since Wednesday of last week up to Tuesday of this week, three hundred and twenty-seven of these men have left your city in squads, for service at the South, and I am advised that about two hundred more will leave during the present week.

"It has not appeared to me necessary to stop this movement else I should have notified you of it before. The parties are represented to me as being desperadoes of the worst kind, and whose departure from any community is the only good act they can perform.

"I will merely add, that when I read my letters on Friday morning, advising me that your department felt so secure from riot and disturbance on the arrival of the President elect, that only twenty men were to be on duty as an escort, I at once determined to call on you and endeavor to induce you to increase the number. But on my arrival, I was very happy to find my advice was not needed, and therefore I did not obtrude it on you."

From which it appears that the said Superintendent Kennedy, with other officers of the Metropolitan Police, have been employed beyond the limits of the State of New York, without authority of law, in violation of the comity existing between the States of this Confederacy, and against the wishes of their people; therefore,

Resolved, That the board of Metropolitan Police Commissioners be requested to report to the Senate, as early as practicable, the names of all persons in the police department who have been employed in other States of the Union—the nature of their employment, together with their instructions, and correspondence, except such as relates to fugitives from justice, notorious criminals, and persons justly suspected of offences against the laws of this State.

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said preamble and resolution, and it was decided in the affirmative.

Mr. Ramsey moved that the bill entitled "An act for the relief of James J. McCue, Simon Schermerhorn and Daniel D. Campbell," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Blood moved that the bill entitled "An act to incorporate the National Horse Show Association, at Saratogo Springs," be recommitted to the committee on agriculture, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Montgomery moved that the bill entitled "An act for the relief of Horace Allen," be referred to the fourth committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Sessions and by unanimous consent, the rules were suspended and the committee of the whole discharged from the further consideration of the bill entitled "An act to relieve the Seneca nation of Indians, by preferring certain causes on the calendar of the Court of Appeals," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Robertson
Blood	Goss	McGraw	P. P. Murphy	Sessions
Colvin	Hammond	Manierre	Prosser	Spinola
Ferry	Hillhouse	Montgomery	Ramsey	Warner
Fiero	Kelly	Manroe	Richmond	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Bell and by unanimous consent, the rules were suspended and the committee of the whole discharged from the further consideration of the bill entitled "An act in relation to the doings of the board of supervisors of the county of Jefferson, under the act passed April 15, 1859, authorizing said board to levy a tax on the town of Watertown, to purchase a site for a new court house in the village of Watertown, and to amend said act," and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Manroe	Richmond
Blood	Goss	Lawrence	J. M. Murphy	Robertson
Colvin	Grant	McGraw	P. P. Murphy	Sessions
Connolly	Hammond	Manierre	Prosser	Truman
Ferry	Hillhouse	Montgomery	Ramsey	Warner
Fiero	Kelly			

27

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act authorizing the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal in the town of Royalton, Niagara county."

"An act for the relief of Horace Pierce, W. W. Baker, B. A. Sen, William Van Horn and Roswell Kelsey."

"An act for the relief of Lyman Gibson."

After some time spent therein, the President resumed the chair, and Mr. Hillhouse, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hillhouse, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, or chemical purposes,' passed February 17, 1848."

"An act to enable the Warren County Agricultural Society to draw its proportion of money devoted to agricultural purposes, from the State treasury."

"An act for the relief of Josiah Blackwell."

After some time spent therein, the President resumed the chair, and Mr. McGraw, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. McGraw, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, orphan asylum and missionary societies."

"An act authorizing and requiring inspectors of elections and other officers to take certain affidavits required by the registry law."

"An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased."

After some time spent therein, the President resumed the chair, and Mr. Sessions, from said committee, reported that they had made sundry amendments to the first named bill, and amended the title by striking out "orphan asylum and missionary" and inserting in lieu thereof "missionary society and orphan asylum," and in favor of the passage of the same, as amended, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Sessions, from the same committee, reported in favor of the passage

of the last named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Truman, from the committee on claims, to which was referred the petition of James Burke and Lawrence Claffy for relief, reported by bill entitled "An act for the relief of James Burke and Lawrence Claffy," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act in relation to the doings of the board of supervisors of the county of Jefferson, under the act passed April 15, 1859, authorizing said board to levy a tax on the town of Watertown, to purchase a site for a new court house in the village of Watertown, and to amend said act."

"An act to relieve the Seneca nation of Indians, by preferring certain causes on the calendar of the Court of Appeals."

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of Horace Allen."

"An act for the relief of James J. McCue, Simon Schermerhorn and Daniel D. Campbell."

"An act to amend article 4th, title 5th, chapter 9th, of part 1st of the Revised Statutes, entitled 'Of grants of land under water.'"

After some time spent therein, the President resumed the chair, and Mr. J. M. Murphy, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. J. M. Murphy, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The President appointed as the select committee under the resolution of Mr. Grant, to examine into and report as to the charges made against the New York Harbor Masters, with power to send for persons and papers, Messrs. Grant, P. P. Murphy and Munroe.

By unanimous consent, Mr. Warner moved that the bill entitled "An act to constitute the village of Hannibal, in the county of Oswego, a separate road district," be recommitted to the committee on roads and bridges, to report complete.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

By unanimous consent, Mr. Sessions moved that the committee on roads and bridges, to which was referred the bill in relation to highways in the town of Ellicott, Cattaraugus county, have power to report the same complete.

The President put the question, whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Manierre moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to authorize the procuring of places for holding courts in the city and county of New York," and that the same be now ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The hour of fifteen minutes to two o'clock having arrived, the President declared the Senate adjourned.

SATURDAY, MARCH 9, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Spaulding.

The journal of yesterday was read and approved.

Mr. P. P. Murphy presented a remonstrance of citizens of New York, against any increase of Savings banks in said city, which was read and referred to the committee on banks.

Mr. Connolly presented a petition of the corporation of the New York Hospital for relief, which was read and referred to the committee on finance.

Mr. Ramsey presented resolutions of the common council of the city of Schenectady, against any amendment of the charter of said city, which were read and committed to the committee of the whole.

Mr. Colvin presented a petition of the common council of the city of Albany, to exempt said city from the operation of the excise law, which was read and referred to the select committee on that subject.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens."

"An act to amend an act entitled 'An act to authorize the board of supervisors of the county of Westchester to purchase the Rapelyea or Pelham bridge,' passed April 5, 1860."

"An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hillhouse, from the committee on finance, to which was referred the petition of Sarah S. Russell and Sarah E. Perkins, for repayment of taxes improperly paid into the treasury, reported by bill entitled "An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to incorporate the Metropolitan Cab company," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to constitute the village of Hannibal, in the county of Oswego, a separate road district," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the petition of Hiram Metcalf and others, for an act for the preservation of fish in Canandaigua lake, reported by bill entitled "An act for the preservation of fish in Canandaigua lake, and the inlet thereof, lying within the counties of Ontario and Yates," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the petition of P. L. Ely and others, for an act to amend an act entitled "An act in relation to the collection of taxes on lands of non-residents, passed April 7, 1860," reported by bill entitled "An act to amend the act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for draining Deer Ridge, or Wine Creek Swamp, in the town of Scriba, in the county of Oswego," reported in favor of the passage of the same.

On motion of Mr. Warner and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Truman, from the committee on claims, to which was referred the petition of Francis M. McFarlan for the passage of an act to relieve him from canal damages, reported for the consideration of the Senate, a bill entitled "An act for the relief of Francis M. McFarlan," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the bill entitled "An act for the relief of E. F. Hoyt, for canal damages," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the bill entitled "An act for the relief of Percy Ann Clough, for canal damages," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Fiero, from the committee on militia and public defence, to which was referred the bill entitled "An act to incorporate the Veteran Scott Life Guard," reported in favor of the passage of the same.

On motion of Mr. J. M. Murphy and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

Mr. Fiero, from the committee on militia and public defence, to which was referred the petition of H. B. Duryea, for the laying out of a public parade ground in Kings county, reported by bill entitled "An act to lay out and establish a parade ground in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Connolly presented the annual report of the Governors of the New York Hospital, which was laid on the table and ordered printed.

(See Doc. No. 56.)

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 69 of the laws of 1853, entitled 'An act extending the time for the collection of taxes when stayed by injunction or otherwise,'" reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal chapter 466 of the Laws of 1860," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Colvin, from the majority of the committee on the judiciary, to which was referred the bill entitled "An act to regulate removals from office," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Colvin, from the committee on State prisons, to which was referred the bill entitled "An act to increase the duties and compensation of the physicians respectively at Auburn and Sing Sing prisons," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to promote the public health of the cities of New York and Brooklyn, and their vicinity," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Munroe, from the committee on banks, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Queens County Savings bank,'" with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased."

"An act for the relief of Horace Pierce, W. W. Baker, B. A. Son, William Van Horn and Roswell Kelsey."

"An act for the relief of Lyman Gibson."

"An act for the protection of bridges belonging to the State or under its control."

"An act authorizing the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal in the town of Royalton, Niagara county."

"An act to authorize the board of supervisors of Monroe county to levy a tax upon the town of Parma."

"An act for the relief of Josiah Blackwell."

"An act authorizing and requiring inspectors of elections and other officers to take certain affidavits required by the registry law."

"An act for the relief of James J. McCue, Simon Schermerhorn and Daniel D. Campbell."

"An act to amend an act entitled 'An act to authorize the formation of

corporations for manufacturing, mining, or chemical purposes,' passed February 17, 1848."

"An act to enable the Warren County Agricultural Society to draw its proportion of money devoted to agricultural purposes, from the State treasury."

"An act for the relief of Horace Allen."

"An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public of the city and county of Oswego."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to declare the village of Cuba a separate road district, and to provide for raising money by tax therein for highways and sidewalks, and compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to provide for the superintendent of the poor of the county of Livingston being keeper of the poor house of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to provide for the appointment of inspectors of election, and the designation of the places at which elections shall be held in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to confirm the grants of street railways in the city of Buffalo, and to confer upon the common council of that city the power to make ordinances respecting the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to incorporate the Eclectic Association in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies.

"An act to widen Main street in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the charter of the village of Ogdensburgh," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Montgomery and by unanimous consent, the rules were suspended and said bill was ordered to a third reading.

On motion of Mr. Montgomery and by unanimous consent, said bill was amended by inserting an additional section, as follows:

"This act shall take effect immediately."

Mr. J. M. Murphy gave notice that he would at an early day ask leave to introduce a bill to provide for a cession of jurisdiction from the State of New York to the United States, of certain lands for light house purposes on the Hudson river, between Albany and Troy.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend chapter 268 of the Session Laws of 1857, in relation to the sale of intoxicating liquors," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

In pursuance of previous notice, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York, to extend certain streets between West 24th and West 81st streets in said city to the bulkhead line, established by the act entitled 'An act to establish bulkhead and pier lines for the port of New York, passed April 17, 1857,' and to confirm certain grants of land under water within said line," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

In pursuance of previous notice, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act appropriating \$500 for the purpose of erecting a monument to the memory of Barent Statte Salisburry," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to facilitate the trial of civil actions in the Supreme, Common Pleas, and Superior Courts of the first judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act to amend the charter of the village of Ogdensburgh," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	P. P. Murphy	Robertson
Blood	Grant	Manierre	Prosser	Truman
Connolly	Hillhouse	Montgomery	Ramsay	Warner
Ferry	Kelly	Munroe	Richmond	Williams
Fiero	Keitcham	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of poor in Oswego county," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	J. M. Murphy	Robertson
Blood	Hammond	McGraw	P. P. Murphy	Sessions
Connolly	Kelly	Manierre	Prosser	Truman
Ferry	Ketcham	Montgomery	Richmond	Warner
Fiero	Lapham	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Horace Pierce, W. W. Baker, B. A. Son, William Van Horn and Roswell Kelsey," was read a third a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Connolly	Hillhouse	McGraw	J. M. Murphy	Richmond
Fiero	Kelly	Montgomery	P. P. Murphy	Sessions
Goss	Ketcham	Munroe	Prosser	Truman
Hammond	Lawrence			

17

FOR THE NEGATIVE.

Blood	Grant	Williams
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Horace Allen," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	Munroe	Sessions
Colvin	Hillhouse	McGraw	J. M. Murphy	Truman
Connolly	Kelly	Manierre	P. P. Murphy	Warner
Fiero	Lapham	Montgomery	Ramsey	

19

FOR THE NEGATIVE.

Blood	Goss	Richmond	Williams
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the protection of bridges belonging to the State or under its control," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Prosser	Sessions
Blood	Hammond	J. M. Murphy	Ramsey	Spinola
Connolly	Kelly	P. P. Murphy	Robertson	Williams
Fiero	Ketcham			

17

FOR THE NEGATIVE.

Ferry	Lawrence	McGraw	Munroe	Warner
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the acts of Gilbert E. Parsons, a notary public of the city and county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lawrence	J. M. Murphy	Sessions	
Blood	Goss	McGraw	Prosser	Truman	
Colvin	Hillhouse	Montgomery	Richmond	Warner	
Connolly	Kelly	Munroe	Robertson	Williams	
Ferry					21

FOR THE NEGATIVE.

Grant					1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal in the town of Royalton, Niagara county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lawrence	Munroe	Richmond	
Blood	Goss	McGraw	J. M. Murphy	Robertson	
Colvin	Hammond	Manierre	P. P. Murphy	Sessions	
Connolly	Kelly	Montgomery	Prosser	Truman	
					20

FOR THE NEGATIVE.

Grant					1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, or chemical purposes,' passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	J. M. Murphy	Sessions	
Blood	Goss	Lawrence	P. P. Murphy	Spinola	
Colvin	Hammond	Montgomery	Robertson	Williams	
Connolly	Hillhouse				
					17

FOR THE NEGATIVE.

Ferry	Grant	McGraw	Truman	Warner	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing and requiring inspectors of elections and other officers to take certain affidavits required by the registry law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	J. M. Murphy	Spinola
Colvin	Hammond	McGraw	P. P. Murphy	Truman
Connolly	Hillhouse	Montgomery	Prosser	Warner
Ferry	Kelly	Munroe	Richmond	Williams
Fiero	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Lyman Gibson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	J. M. Murphy	Robertson
Colvin	Hammond	Lawrence	P. P. Murphy	Sessions
Connolly	Hillhouse	Montgomery	Prosser	Spinola
Fiero	Kelly	Munroe		

18

FOR THE NEGATIVE.

Blood	Grant	McGraw	Truman
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, missionary societies and orphan asylums," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Munroe	Robertson
Blood	Hammond	Lawrence	P. P. Murphy	Sessions
Colvin	Hillhouse	McGraw	Prosser	Warner
Connolly	Kelly	Montgomery	Ramsey	Williams
Ferry	Ketcham			

22

FOR THE NEGATIVE.

Manierre	J. M. Murphy	Spinola
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to enable the Warren County Agricultural Society to draw its proportion of money devoted to agricultural purposes, from the State treasury," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	J. M. Murphy	Richmond
Colvin	Grant	Lapham	P. P. Murphy	Truman
Connolly	Hammond	McGraw	Prosser	Warner
Ferry	Hillhouse	Montgomery	Ramsey	Williams
Fiero	Kelly	Munroe		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Josiah Blackwell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	McGraw	J. M. Murphy	Sessions
Connolly	Hillhouse	Manierre	P. P. Murphy	Spinola
Ferry	Ketcham	Montgomery	Prosser	Truman
Fiero	Lapham	Munroe	Robertson	Williams
Goss	Lawrence			

22

FOR THE NEGATIVE.

Grant 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	J. M. Murphy	Richmond
Colvin	Hillhouse	McGraw	P. P. Murphy	Sessions
Connolly	Kelly	Montgomery	Prosser	Spinola
Fiero	Ketcham	Munroe	Ramsey	Truman
Goss	Lapham			

22

FOR THE NEGATIVE.

Grant 1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of James J. McCue, Simon Schermerhorn and Daniel D. Campbell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lapham	Montgomery	Prosser
Connolly	Hillhouse	Lawrence	Munroe	Ramsey
Fiero	Kelly	McGraw	J. M. Murphy	Robertson
Goss	Ketcham	Manierre	P. P. Murphy	Sessions
Grant				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the procuring of places for holding courts in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Manierre	Prosser	Sessions
Colvin	Hammond	Munroe	Ramsey	Truman

Connolly	Hillhouse	J. M. Murphy	Richmond	Warner	
Fiero	Lapham	P. P. Murphy	Robertson	Williams	20

FOR THE NEGATIVE.

Kelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Fiero moved to take from the table the bill entitled "An act in relation to the Department of Finance in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Kelly	Lawrence	Prosser	Sessions	
Fiero	Lapham	J. M. Murphy	Robertson	Warner	
Grant					11

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	P. P. Murphy	Spinola	
Colvin	Goss	Manierre	Ramsey	Trauman	
Connolly	Hammond	Montgomery	Richmond	Williams	
Ferry	Hillhouse	Munroe			18

Mr. Sessions offered the following resolution :

Resolved, That the committee on public printing, be instructed to examine and report whether Gideon J. Tucker, ex-Secretary of State, had authority by law to cause to be printed at the expense of the State the book entitled "New York Marriages," with power to send for persons and papers.

Mr. Goss moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative.

Mr. Connolly offered the following resolution :

Resolved, That when the Senate adjourns to-day, it adjourn to meet on Monday evening next at 7 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to enable the commissioners of highways of the town of Ellicott, in the county of Chautauqua, to ascertain the boundaries of the highways in said town, and to make a record of the same," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lawrence moved that the bill entitled "An act for the relief of Mary Jane Ratz," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Goss moved that the bill entitled "An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. J. M. Murphy moved that the bill entitled "An act for the relief of the Madison University," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. P. P. Murphy moved that the bill entitled "An act to create the office of commissioner of lunacy," be referred to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Manierre moved that the bill entitled "An act to reduce the fare, and provide better accommodations for passengers upon the New York city railroads," be recommitted to the committee on incorporation of cities and villages.

Mr. Ramsey moved to amend by adding the words, "and that the committee be instructed to report the same back as early as Thursday next."

Mr. Sessions moved to refer said bill to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Prosser	Sessions
Blood	Grant	Munroe	Ramsey	Truman
Colvin	Kelly	P. P. Murphy	Richmond	Warner
Fiero	Ketcham			

17

FOR THE NEGATIVE.

Connolly	Hillhouse	McGraw	J. M. Murphy	Spinola
Hammond	Lawrence	Manierre		

8

Mr. Spinola moved that the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to give a preference for trial to the action of James W. White against John Clancy, in the Supreme Court of the first judicial district," and that the same be referred to the second committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hillhouse moved that the bill entitled "An act to amend chapter 398 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould,'" be referred to the third committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond."

Mr. J. M. Murphy moved that the bill entitled "An act to fix the corporate name of Hobart college, and to confirm the acts of the trustees thereof," be referred to the third committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act for the relief of the Academy of Music in the city of

New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Zeta Phi Fraternity, in the village of Delhi," reported in favor of the passage of the same.

On motion of Mr. Ramsey and by unanimous consent, the rules were suspended and said bill was referred to the committee on literature, to report complete.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to establish free schools in the village of Ithaca," reported in favor of the passage of the same.

On motion of Mr. Truman and by unanimous consent, the rules were suspended, and said bill was recommitted to the committee on literature, to report complete.

Mr. Sessions, from the majority of the committee on literature, to which was referred the bill entitled "An act to enable the school of the Fourth Ward Mission, in the city of New York, to participate in the distribution of the Common School Fund," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Lawrence presented two petitions of citizens of Richmond county, for a portion of the Battery for ferry purposes.

Mr. Spinola called for the reading of said petitions.

Mr. Fiero moved to dispense with the reading of said petitions.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Prosser
Blood	Goss	Lapham	J. M. Murphy	Sessions
Colvin	Grant	McGraw	P. P. Murphy	Warner
Connolly	Hillhouse	Montgomery		

18

FOR THE NEGATIVE.

Truman

1

Said petitions were referred to the committee on incorporation of cities and villages.

Mr. Connolly moved that the bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Blood	Gardiner	Kelly	Manierre	Sessions
Colvin	Grant	Ketcham	J. M. Murphy	Spinola
Connolly	Hillhouse	Lapham	Richmond	Truman
Fiero				

16

FOR THE NEGATIVE.

Bell	Lawrence	Montgomery	P. P. Murphy	Ramsey
Goss	McGraw	Munroe	Prosser	Warner
Hammond				

11

The President declared the Senate adjourned.

MONDAY, MARCH 11, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Reed.

The journal of Saturday was read and approved.

Mr. McGraw presented a petition of citizens of Cortland county, for an act authorizing the draining of a swamp in the town of Preble, which was read and referred to the committee on internal affairs of towns and counties.

Mr. P. P. Murphy presented a petition of M. H. Phillips and others, for the passage of a law to furnish copies of Smith's Map and Gazetteer to school libraries, which was read and committed to the committee of the whole.

Also, a petition of Daniel Price and others, citizens of Lockport, for repeal of section 2, of chapter 141 of Laws of 1858, which was read and referred to the committee on the judiciary.

Mr. Bell presented a petition of Henry W. Ingalls and thirty other citizens of Brownville, Jefferson county, for an amendment of the Constitution to prohibit the sale of intoxicating liquors as a beverage, which was read and laid on the table.

Mr. Truman presented a petition of the trustees of the village of Binghamton, for the passage of an act permitting said village to take stock in the Binghamton Water Works company, which was read and referred to the committee on incorporation of cities and villages.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages, to Jeremiah Van Buren," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on medical societies, to which was referred the Assembly bill entitled "An act to incorporate the Eclectic Association, in the city of New York," reported in favor of the passage of the same.

On motion of Mr. P. P. Murphy and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the superintendent of the poor of the county of Livingston, being keeper of the poor house of said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was recommitted the Assembly bill entitled "An act to provide for draining Deer Ridge, or Wine Creek Swamp, in the town of Scriba, in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was recommitted the Assembly bill entitled "An act to establish free schools in the village of Ithaca," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred

the bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act relating to the Lutheran cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran church, in said town."

a separate road district."

"An act to constitute the village of Hanibal, in the county of Oswego, Mr. Sessions, from the select committee consisting of the Senator from the 32d district, to which was referred the Assembly bill entitled "An act to incorporate the village of Panama," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Zeta Phi Fraternity, in the village of Delhi," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. J. M. Murphy, from the minority of the committee on literature, to which was referred the bill entitled "An act to entitle the 4th Ward Mission school of the city of New York to a participation in the Common School Fund of the State," respectfully dissents from the conclusions of the majority of said committee, for the reason that article 9 of the Constitution expressly prohibits the use of the Common School Fund for any such special purpose, as designated in the act referred to.

By unanimous consent, Mr. Ferry asked and obtained leave to introduce a bill entitled "An act to revise the charter of the city of Utica," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. Ferry moved that said bill be printed immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Sessions asked and obtained leave to introduce a bill entitled "An act in relation to the Quarantine establishment, in the port of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

The bill entitled "An act relating to the Lutheran cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran church, in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Ketcham	J. M. Murphy	Richmond
Blood	Goss	Lapham	P. P. Murphy	Robertson
Colvin	Grant	McGraw	Prosser	Truman
Connolly	Hammond	Montgomery	Ramsey	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

In pursuance of previous notice, Mr. Ferry moved to suspend so much of the 26th rule as prohibits bills being ordered to a third reading without being acted on in committee of the whole, in order to enable him to offer a resolution for a committee of eight.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

In pursuance of previous notice, Mr. Ferry offered the following resolution :

Resolved, That a select committee of eight be appointed by the President, to whom shall be referred all bills on the general orders, with instructions to select therefrom such bills as are in their judgment proper to be referred to the standing committees which reported them, with power to report complete; but the committee shall not report any bill making an appropriation from the public treasury, nor any bill relating to city railroads, nor shall they have power to take any bill from the general orders without the assent of six of the members of said committee; the committee shall make a list of the bills so taken off by them, which list shall be read by the Clerk, and if approved of by a majority of all the members of the Senate, the said bills shall be so referred. No standing committee to whom any bill shall be referred back to report complete, by virtue of this resolution, shall be authorized to incorporate any amendment embracing a subject wholly distinct from the subject of the bill referred to them.

Mr. Hammond moved to amend by adding the words, "and that said committee report no bills of a local character until all bills of a general character are disposed of by the Senate."

Mr. Colvin moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. J. M. Murphy, from the committee on literature, to which was referred the Assembly bill entitled "An act to incorporate the Eclectic Association, in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Blood—

Resolved, That the Commissioners of the Land Office are respectfully requested to return all the papers and reports in the claim of Gertrude C. Doe, which was referred to them to report to the Senate in 1860; and that the Clerk of the Senate return them to the Hon. the Assembly, agreeably to the resolution of the Assembly.

Mr. Lapham moved that the bill entitled "An act authorizing a further appropriation to aid in constructing stone piers and otherwise preserving the State bridge across the Sacandaga river, in the town of Hadley, in the county of Saratoga," be referred to the first committee of the whole not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Neversink River plank-road company and to authorize the issuing and holding of certificates of stock therein," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act for the relief of the Madison University."

"An act for the relief of Mary Jane Ratz."

"An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

After some time spent therein, the President resumed the chair, and Mr. Bell, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Bell, from the same committee, reported in favor of the passage of the last named bill, without amendment.

Mr. Spinola moved to lay the question of agreeing to the report of the committee of the whole on said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to create the office of Commissioner of Lunacy."

"An act to give a preference for trial to the action of James W. White against John Clancy, in the Supreme Court of the first judicial district."

"An act to reduce the fare, and provide better accommodations for passengers upon the New York city railroads."

After some time spent therein, the President resumed the chair, and Mr. Montgomery, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. Sessions moved that the bill entitled "An act to reduce the fare, and provide better accommodations for passengers upon the New York city railroads," be referred to the first committee of the whole after to-day.

Mr. Fiero moved to make said bill the special order for Wednesday evening next at seven o'clock, and that the Senate hold a session for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Sessions, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	P. P. Murphy	Sessions	
Colvin	Grant	Montgomery	Prosser	Warner	
Fiero	Hillhouse	Munroe	Robertson		14

FOR THE NEGATIVE.

Blood	Gardiner	Lapham	J. M. Murphy	Spinola	
Connelly	Hammond	McGraw	Richmond	Williams	10

Mr. Fiero, from the committee on militia and public defence, to which was referred the bill entitled "An act to incorporate the Veteran Scott Life Guard," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Richmond; from the committee on railroads, to which was referred the petition of the New York and Erie railroad company, for an act amending an act in relation to the foreclosure and sale of said railroad, reported by bill entitled "An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine

Plains and Stanford, in the county of Dutchess,' passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. P. P. Murphy moved that the bill entitled "An act to create the office of Commissioner of Lunacy," be referred to the first committee of the whole, after to-day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend chapter 398 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould.'"

"An act to fix the corporate name of Hobart college, and to confirm the acts of the trustees thereof."

"An act authorizing a further appropriation to aid in constructing stone piers and otherwise preserving the State bridge across the Sacandaga river, in the town of Hadley, in the county of Saratoga."

After some time spent therein, the President resumed the chair, and Mr. Blood, from said committee, reported in favor of the passage of the two first named bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Blood, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Colvin presented a remonstrance of eighty-four inhabitants of the town of Salem, Washington county, against the passage of the bill allowing railroad companies to abandon the whole or any portion of their roads, which was read and referred to the committee on railroads.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of Supervisors of said county, requiring the appropriation of money," be recommitted to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Goss moved that the bill entitled "An act to amend an act entitled 'An act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe,' passed April 12, 1860," be recommitted to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. P. P. Murphy presented a memorial of supervisors of Niagara county, in relation to boards of health in said county, which was read and referred to the committee on internal affairs of towns and counties.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow at 10 o'clock.

TUESDAY, MARCH 12, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Spaulding.

The journal of yesterday was read and approved.

Mr. Fiero presented a petition of citizens of Greene county, for an amendment of the charter of the Schoharie Kill Bridge company, which was read and referred to the committee on roads and bridges.

Mr. Goss presented a petition of Thomas C. Bates and others, citizens of Monroe county, for a horse railroad from said city to Brighton, which was read and referred to the committee on railroads.

Mr. Lawrence presented a petition of residents of Richmond county, for a portion of the Battery in the city of New York for ferry purposes, which was read and referred to the committee on incorporation of cities and villages.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe, passed April 12, 1860," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the petition of the board of supervisors of Niagara county, for an act to regulate charges incurred on account of the public health in said county, reported by bill entitled "An act to regulate charges incurred on account of the public health in the county of Niagara," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. P. P. Murphy and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. P. P. Murphy, from the committee on claims, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on incorporation of cities and villages, to which was referred the petition of trustees of Binghamton, for

passage of an act permitting the village to take stock in the Binghamton Water Works company, reported by bill entitled "An act authorizing the village of Binghamton to take stock in the Binghamton Water Works company," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the bill entitled "An act to complete the enlargement of the Auburn prison, and for improvements and repairs to the north wing thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act to facilitate the forming of agricultural and horticultural societies, passed April 13, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the select committee, to which was referred the resolution in relation to the appointment of a President *pro tem*, reported in writing, as follows:

That they have examined the subject submitted for their consideration, and are unanimously of the opinion—

1st. That it is necessary to appoint a President *pro tem* of the Senate.

2d. That the President *pro tem*, appointed at the last session, does not hold his office during the present session.

The committee are of the opinion that a temporary President can only be appointed during the absence of the Lieut. Governor, and that on the return of the Lieut. Governor to his seat, the office of said temporary President ceases.

The committee therefore regard the Senate as without a legally appointed presiding officer during the temporary absence of the Lieut. Governor.

S. H. HAMMOND,

A. J. COLVIN,

J. H. RAMSEY.

On motion of Mr. Hammond, said report was laid on the table.

By unanimous consent, Mr. Hammond offered the following resolution:

Resolved, That Hon. Nathan Lapham be, and he is hereby appointed President of the Senate during the temporary absence of the Lieut. Governor.

On motion of Mr. Hammond, said resolution was laid on the table.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 898 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould.'"

"An act to fix the corporate name of Hobart college, and to confirm the acts of the trustees thereof."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to divide the 11th Ward and create a new Ward in the city of Brooklyn, to be called the 20th Ward, in the same city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to amend the charter of the Schoharie Kill bridge company," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fiero and by unanimous consent, the rules were sus-

pending, and said bill was referred to the committee on roads and bridges, to report complete.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend section 100 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

In pursuance of previous notice, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of Light Houses and Keepers' dwellings, within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to constitute the village of Hannibal, in the county of Oswego, a separate road district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lapham	P. P. Murphy	Rotch
Colvin	Grant	Lawrence	Ramsey	Truman
Connolly	Hammond	Manierre	Richmond	Warner
Ferry	Hillhouse	Montgomery	Robertson	Williams
Fiero	Ketcham	J. M. Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to establish free schools in the village of Ithaca," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Kelly	Manierre	Robertson
Connolly	Grant	Ketcham	Montgomery	Truman
Ferry	Hammond	Lapham	P. P. Murphy	Warner
Fiero	Hillhouse	Lawrence	Richmond	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to provide for draining 'Deer Ridge' or 'Wine Creek' swamp, in the town of Scriba, in the county of Oswego," having been announced—

Mr. Hammond moved to recommit said bill to the first committee of the whole, to-morrow.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Assembly bill entitled "An act to incorporate the Eclectic Association, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lapham	J. M. Murphy	Rotch
Fiero	Hillhouse	Lawrence	P. P. Murphy	Spinola

Goss	Kelly	Manierre	Richmond	Truman	
Grant	Ketcham	Montgomery	Robertson	Warner	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 398 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Richmond	Spinola	
Blood	Hammond	Lawrence	Robertson	Truman	
Connolly	Hillhouse	Montgomery	Rotch	Warner	
Fiero	Kelly	P. P. Murphy			18

FOR THE NEGATIVE.

Colvin	Lapham				2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to fix the corporate name of Hobart college, and to confirm the acts of the trustees thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	P. P. Murphy	Rotch	
Blood	Goss	Lapham	Ramsey	Truman	
Colvin	Hillhouse	Lawrence	Richmond	Warner	
Connolly	Kelly	Montgomery	Robertson	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act to legalize the formation of school district No. 18, in the town of Cortlandt, Westchester county," be recommitted to the committee on literature, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Spinola moved to take from the table the question of agreeing to the report of the committee of the whole on the bill entitled "An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

Mr. J. M. Murphy moved that the bill entitled "An act to amend the act entitled 'An act to appoint commissioners for laying out that portion of the city and county of New York lying north of 155th street, and to change the plan of streets and avenues in that part of the city lying between 125th and 141st streets, east of the Tenth avenue and west of a line fifty feet east of the Old Kings Bridge road and running parallel with said road,' passed April 7, 1860," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Fiero offered the following resolution :

Resolved, That hereafter the Senate will hold evening sessions on Tuesday and Thursday, to commence at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	McGraw	Ramsey	
Colvin	Grant	Lapham	Montgomery	Robertson	10

FOR THE NEGATIVE.

Blood	Kelly	J. M. Murphy	Rotch	Warner	
Connolly	Lawrence	P. P. Murphy	Spinola	Williams	
Goss	Manierre	Richmond	Truman		14

By unanimous consent, Mr. Bell moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850,' and an act amendatory thereto, passed April 14, 1859," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Rotch	
Blood	Hillhouse	Manierre	Ramsey	Spinola	
Colvin	Kelly	Montgomery	Richmond	Warner	
Connolly	Ketcham	J. M. Murphy	Robertson	Williams	
Fiero	Lapham				22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Goss moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act authorizing the Brockport and Clarkson plankroad company to reduce the number of directors from nine to five," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	P. P. Murphy	Spinola	
Colvin	Grant	Lawrence	Ramsey	Truman	
Connolly	Hillhouse	Montgomery	Richmond	Warner	
Fiero	Kelly	J. M. Murphy	Robertson	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Colvin offered the following resolution :

Resolved, That a committee of three be appointed to arrange and classify the calendar of general orders, for the purpose of expediting the business of the Senate.

Mr. Colvin moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to amend the charter of the village of Ogdensburgh."

Ordered, That the Clerk return said bill to the Assembly.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to provide for the payment of interest on certain canal drafts, certificates and awards."

Assembly bill, "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county to appoint an assistant,' passed April 14, 1857."

"An act to repeal chapter 167 of the Laws of 1860, entitled 'An act in relation to the preferred causes in the Supreme Court and Court of Appeals.'"

After some time spent therein, the President resumed the chair, and Mr. Rotch, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Rotch, from the same committee, reported in favor of the passage of the last named bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Lapham	Montgomery	J. M. Murphy	Spinola	
Fiero	Lawrence	Munroe	Rotch	Warner	
Hammond	McGraw				12

FOR THE NEGATIVE.

Colvin	Gardiner	Grant	P. P. Murphy	Ramsey	
Connolly	Goss				7

Ordered, That said bill be engrossed a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to create the office of Commissioner of Lunacy."

"An act to amend the act entitled 'An act to appoint commissioners for laying out that portion of the city and county of New York lying north of 155th street, and to change the plan of streets and avenues in that part of the city lying between 125th and 141st streets, east of the 10th avenue and west of a line fifty feet east of the Old Kings Bridge road and running parallel with said road,' passed April 7, 1860."

"An act to amend the act entitled 'An act to secure to creditors a just division of the estates of debtors, who convey to assignees for the benefit of creditors,' passed April 13, 1860."

After some time spent therein, the President resumed the chair, and Mr. Ketcham, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ketcham, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ketcham, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The hour of 12 o'clock having arrived, the President announced the special order, being the bill entitled as follows :

"An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson river railroad.'"

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Spinola moved that the rules be suspended, and that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	P. P. Murphy	Rotch
Blood	Gardiner	Lapham	Ramsey	Spinola
Colvin	Goss	McGraw	Richmond	Truman
Connolly	Grant	Montgomery	Robertson	Williams
Ferry	Hammond	J. M. Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to amend an act entitled 'An act to incorporate the Queens County Savings bank,' passed April 14, 1859."

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	J. M. Murphy	Rotch
Blood	Goss	Lawrence	P. P. Murphy	Spinola
Connolly	Grant	Manierre	Ramsey	Truman
Ferry	Kelly	Montgomery	Richmond	Williams
Fiero				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Gardiner, from the committee on agriculture, to which was referred the bill entitled "An act to incorporate the National Horse Show Association at Saratoga Springs," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the

Great Western Insurance company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend and explain an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20, 1860."

"An act to facilitate the transaction of business at the several courts of record to be held in and for the county of Schoharie."

"An act to authorize the supervisors of the county of Jefferson to raise money and make appropriations for the use of the Watertown Home for destitute, friendless and orphan children."

After some time spent therein, the President resumed the chair, and Mr. Grant, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Grant, from the same committee, reported in favor of the passage of the two last named bills, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly returned the bill entitled "An act for the relief of the New York State Inebriate Asylum, and for other purposes," with a message that they had concurred in the passage of the same, with the following amendment:

Insert the following as section four:

"§ 4. The election of the trustees of the New York State Inebriate Asylum, shall be held on the first Wednesday in June, of each year, at the office of the institution, at 10 o'clock A. M. The said trustees shall be elected by ballot, by plurality of subscribers present, or represented by proxy, each and every subscription of ten dollars paid having one vote. Three fit and disinterested persons shall be appointed by the board of trustees three weeks previous to each election of trustees of said asylum, inspectors of the next election. The said board of trustees, annually, from their own body, shall elect by ballot a president and treasurer of said asylum, on the first Wednesday of June in each year, at 11 o'clock A. M. The annual meeting of the board of trustees of said asylum shall be held on the first Wednesday of June in each year, at the office of the institution, at 11 o'clock A. M."

Mr. Manierre moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	P. P. Murphy	Robertson	
Blood	Goss	Manierre	Ramsey	Rotch	
Connolly	Hammond	Montgomery	Richmond	Warner	
Ferry	Kelly				17

FOR THE NEGATIVE.

Colvin	Gardiner	Grant	Spinola	4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment thereto.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson River railroad.'"

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow at 10 o'clock,

WEDNESDAY, MARCH 13, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Rudder.

The journal of yesterday was read and approved.

Mr. Goss presented a petition of Oliver Culver and others, for a horse railroad from the city of Rochester, running on East avenue, which was read and referred to the committee on railroads.

Mr. P. P. Murphy presented three petitions of citizens and trustees of the village of Albion, for an amendment to the charter of said village, which were read and referred to the committee on incorporation of cities and villages.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to legalize the formation of school district No. 18, in the town of Cortlandt, Westchester county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to regulate charges incurred on account of the public health in the county of Niagara," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Bell, from the committee on canals, to which was recommitted the bill entitled "An act to revive and extend an act respecting the appropriation of the waters of the Black River for the use of the Black River canal and Erie canal feeder, passed April 3, 1851," reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 51.)

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, missionary societies and orphan asylums."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit :

"An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens."

"An act to amend the several acts incorporating or relating to the village of Elbridge."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills :

"An act to extend the jail limits of the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to repeal section 8, of chapter 178, of an act entitled 'An act in relation to highways, in the counties of Hamilton, Herkimer and Fulton, passed April 18, 1848,' so far as it relates to the county of Fulton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Bellevue Hospital Medical college of the city of New York, of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on medical societies.

"An act in addition to and in amendment of an act entitled 'An act to provide for the payment of certain claims against the city of Brooklyn,' passed April 7, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the charter of the New York and Flushing railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act authorizing the Warwick Valley railroad company to use a fifty pound iron rail," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Buffalo Water Works company,' passed March 14, 1849,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to repeal section 3, of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Kelly asked and obtained leave to introduce a bill entitled "An act to repeal chapter 101 of the Laws of 1859, in relation to the altering of the map or plan of the city of New York, by the extension of the Central park," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to alter and amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ramsey moved to reconsider the vote agreeing to the report of the committee on the judiciary, against the bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property by means of fire and burglar proof safes."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ramsey moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light houses and keepers' dwellings, within this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The bill entitled "An act to facilitate the transaction of business at the several courts of record to be held in and for the county of Schoharie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Connolly	Hammond	Lawrence	P. P. Murphy	Sessions
Fiero	Hillhouse	Manierre	Prosser	Truman
Gardiner	Kelly	Montgomery	Ramsey	Warner
Goss	Ketcham	Munroe	Robertson	Williams
Grant	Lapham	J. M. Murphy	Rotch	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the village of Panama," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Kelly	J. M. Murphy	Robertson
Connolly	Grant	Lapham	P. P. Murphy	Rotch
Ferry	Hammond	Lawrence	Prosser	Sessions
Fiero	Hillhouse	Munroe	Ramsey	Truman
Gardiner				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	P. P. Murphy	Rotch
Connolly	Grant	Lapham	Prosser	Sessions
Ferry	Hammond	Munroe	Ramsey	Truman
Fiero	Hillhouse	J. M. Murphy	Robertson	Williams
Gardiner				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the supervisors of the county of Jefferson to raise money and make appropriations for the use of the Watertown Home for destitute, friendless and orphan children," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Ketcham	J. M. Murphy	Robertson
Colvin	Hammond	Lapham	P. P. Murphy	Rotch
Connolly	Hillhouse	Lawrence	Prosser	Sessions
Fiero	Kelly	Munroe	Ramsey	Williams
Goss				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Veteran Scott Life Guard," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Colvin	Goss	Munroe	Prosser	Rotch
Cennolly	Grant	J. M. Murphy	Ramsey	Truman
Fiero	Kelly	P. P. Murphy	Robertson	Williams
Gardiner	Montgomery			

17

FOR THE NEGATIVE.

Hammond

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to amend the act entitled 'An act to appoint commissioners for laying out that portion of the city and county of New York lying north of 155th street, and to change the plan of streets and avenues in that part of the city lying between 125th and 141st streets, east of the 10th avenue and west of a line fifty feet east of the Old Kings Bridge road and running parallel with said road,' passed April 7, 1860."

"An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money."

"An act to amend and explain an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20, 1860."

"An act to facilitate the transaction of business at the several courts of record to be held in and for the county of Schoharie."

"An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849."

"An act to incorporate the Veteran Scott Life Guard."

"An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

"An act to authorize the supervisors of the county of Jefferson to raise money and make appropriations for the use of the Watertown Home for destitute, friendless and orphan children."

"An act to amend an act entitled 'An act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe,' passed April 12, 1860."

"An act to incorporate the National Horse Show Association, at Saratoga Springs."

"An act to create the office of Commissioner of Lunacy."

"An act to enable the commissioners of highways of the town of Ellicott, in the county of Chautauqua, to ascertain the boundaries of the highways in said town and to make a record of the same."

"An act to repeal chapter 167 of the Laws of 1860, entitled 'An act in relation to the preferred causes in the Supreme Court and Court of Appeals.'"

The third reading of the bill entitled "An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,' having been announced—

On motion of Mr. Goss and by unanimous consent, said bill was amended by striking out the words "over sixteen years of age," in line 9, section 1, printed bill.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Munroe	Richmond	Truman
Connolly	Kelly	P. P. Murphy	Rotch	Warner
Goss	McGraw	Prosser	Sessions	Williams
Grant	Montgomery	Ramsey		

18

FOR THE NEGATIVE.

Colvin	Lapham	J. M. Murphy
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3

Mr. Colvin moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to enable the commissioners of highways of the town of Ellicott, in the county of Chautauqua, to ascertain the boundaries of the highways in said town and to make a record of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Hammond	Montgomery	Ramsey	Sessions
Connolly	Kelly	Munroe	Richmond	Truman
Gardiner	Lapham	J. M. Murphy	Robertson	Warner
Goss	Lawrence	P. P. Murphy	Rotch	Williams
Grant	McGraw	Prosser		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 4, 1849," having been announced—

Mr. Colvin moved to recommit said bill to the committee on banks, with power to report complete.

Mr. Fiero moved to amend by striking out the word "banks" and inserting in lieu thereof the word "judiciary."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Colvin, as amended, and it was decided in the affirmative.

The bill entitled "An act to amend an act entitled 'An act in relation to the collection of county taxes in the city of Rochester, in the county of Monroe,' passed April 12, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	Munroe	Sessions
Blood	Goss	Ketcham	Prosser	Truman
Ferry	Grant	McGraw	Richmond	Warner
Fiero	Hammond	Montgomery	Robertson	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to repeal chapter 167 of the Laws of 1860, entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,'" having been announced—

Mr. Spinola moved to recommit said bill to the committee on the judiciary, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to create the office of Commissioner of Lunacy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Ramsey
Blood	Gardiner	McGraw	J. M. Murphy	Sessions
Colvin	Goss	Manierre	P. P. Murphy	Spinola
Connolly	Grant	Montgomery	Prosser	Truman
Ferry	Hammond			

22

FOR THE NEGATIVE.

Lapham	Williams
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to appoint commissioners for laying out that portion of the city and county of New York lying north of 155th street, and to change the plan of streets and avenues in that part of the city lying between 125th and 141st streets, east of the Tenth avenue and west of a line fifty feet east of the Old Kings Bridge road and running parallel with said road,' passed April 7, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Manierre	Prosser	Spinola
Colvin	Hammond	Montgomery	Richmond	Truman
Connolly	Kelly	J. M. Murphy	Robertson	Williams
Fiero	Ketcham	P. P. Murphy	Sessions	

19

FOR THE NEGATIVE.

Blood	Ferry	Grant	Warner
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4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to incorporate the National Horse Show Association, at Saratoga Springs," having been announced—

On motion of Mr. Truman and by unanimous consent, said bill was amended by striking out the word "not" in line 5, section 7, printed bill.

Mr. Hammond moved to recommit with instructions to amend by striking out the words "trotting" and the words "or pacing" in section 8.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond moved to recommit with instructions to amend by inserting an additional section prohibiting the trotting or racing of horses except at the annual fair of the Agricultural Society of Saratoga county.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Fiero	Kelly	Montgomery	Sessions	
Colvin	Gardiner	Lapham	J. M. Murphy	Spinola	
Connolly	Grant	Lawrence	Prosser		14

FOR THE NEGATIVE.

Bell	Goss	Ketcham	Manierre	Warner	
Ferry	Hammond	McGraw	Truman	Williams	10

Mr. Blood moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend and explain an act entitled 'An act concerning the rights and liabilities of husband and wife,' passed March 20, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Ferry	Lapham	Munroe	Spinola	
Blood	Gardiner	Lawrence	J. M. Murphy	Truman	
Colvin	Hammond	Manierre	P. P. Murphy	Warner	
Connolly	Kelly	Montgomery	Sessions		19

FOR THE NEGATIVE.

Fiero	Grant	McGraw	Prosser	Williams	
Goss	Ketcham				7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to authorize the supervisors of the county of Jefferson to raise money and make appropriations for the use of the Watertown Home for destitute, friendless and orphan children."

"An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850,' and an act amendatory thereto, passed April 14, 1859."

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit :

"An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson River railroad.'"

"An act for the relief of the New York State Inebriate Asylum, and for other purposes."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hammond moved to take from the table the report of the committee to which was referred the resolution in relation to President *pro tem.* in the words following, to wit :

On motion of Mr. Hammond—

Resolved, That a committee of three be appointed to enquire and report to the Senate whether it be necessary to appoint a President *pro tem.* or

whether the President *pro tem* appointed at the last session holds his office during the present session.

Ordered, That Messrs. Hammond, Colvin and Ramsey, be such committee.

The special committee to whom was referred the annexed resolution, respectfully report :

That they have examined the subject submitted for their consideration, and are unanimously of the opinion—

1st. That it is necessary to appoint a President *pro tem* of the Senate.

2d. That the President *pro tem*, appointed at the last session, does not hold his office during the present session.

The committee are of the opinion that a temporary President can only be appointed during the absence of the Lieut. Governor, and that on the return of the Lieut. Governor to his seat, the office of said temporary President ceases.

The committee therefore regard the Senate as without a legally appointed presiding officer during the temporary absence of the Lieut. Governor.

S. H. HAMMOND,

A. J. COLVIN,

J. H. RAMSEY.

Pending the question of agreeing to said report—

The hour of 12 o'clock having arrived, the President announced that the Senate would go into executive session.

Mr. Truman moved to postpone the executive session for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resumed the consideration of the question pending at the hour of 12 o'clock.

Pending the question, debate having ensued thereon—

The hour of half-past 12 having arrived, the President announced that the Senate would go into executive session.

After some time spent therein, the doors were opened, and legislative business resumed.

The President announced the special order, being the consideration of the concurrent resolutions to amend the Constitution, so as to prohibit the sale of intoxicating liquors as a beverage, in the words following, to wit:

Resolved, (if the Assembly concur,) That the Constitution of this State be amended as follows:

The sale of intoxicating liquors, as a beverage, is hereby prohibited; and no law shall be enacted, or be in force, after the adoption of this amendment, to authorize such sale, and the Legislature shall by law prescribe the necessary fines and penalties for any violation of this provision.

Resolved, (if the Assembly concur,) That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section one of article thirteen of the Constitution, it be published for three months previous to the time of such election.

The President put the question whether the Senate would agree to the adoption of said resolutions, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Manierre	P. P. Murphy	Rotch
Ferry	Hillhouse	Montgomery	Prosser	Sessions
Fiero	Lapham	Munroe	Ramsey	Warner
Goss	McGraw	J. M. Murphy	Richmond	Williams

FOR THE NEGATIVE.

Blood
Colvin

Gardiner

Grant

Kelly

Lawrence

Ordered, That the Clerk deliver said resolutions to the Assembly, and request their concurrence therein.

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

THURSDAY, MARCH 14, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Seelye.

The journal of yesterday was read and approved.

Mr. Bell presented a petition of F. W. Winn and twenty-five other citizens of Uxter, Jefferson county, for an amendment of their village charter, which was read and referred to the committee on incorporation of cities and villages.

Mr. Abell presented a remonstrance of C. L. Allen and others, of Washington, against the passage of the bill allowing railroad companies to abandon the whole or any portion of their road, which was read and referred to the committee on railroads.

Mr. Montgomery, for Mr. Lapham, presented a petition of Wm. Griffin, asking power to convey real estate to the Methodist Episcopal Church trustees in Plattsburgh, which was read and referred to the committee on the judiciary.

Mr. Colvin presented a petition of citizens of Albany, for discontinuance of a school district west of Perry street, in said city, which was read and referred to the committee on literature.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend the charter of the Schoharie Kill bridge company," with power report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the petition of Samuel George for redress of grievances, reported by bill entitled "An act to repeal chapter 369 of the Laws of 1858, entitled 'An act to amend an act entitled 'An act to authorize the Syracuse and Tully plankroad company to construct their road on the highway running through the lands belonging to the Onondaga Indians,' passed February 16, 1848,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend chapter 628 of the Laws of 1857, in relation to the sale of intoxicating liquors," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to extend the jail limits of the county of Erie," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal section 8, of chapter

178 of an act entitled 'An act in relation to highways in the counties of Hamilton, Herkimer and Fulton, passed April 18, 1848,' so far as it relates to the county of Fulton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the select committee consisting of the Senators from New York, to which was recommitted the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge, at the termination of the Third avenue in the city of New York,'" reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on medical societies, to which was referred the Assembly bill entitled "An act to incorporate the Bellevue Hospital Medical College of the city of New York, of the State of New York," reported in favor of the passage of the same, with amendments.

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to legalize the formation of school district No. 18, in the town of Cortlandt, Westchester county."

"Concurrent resolutions to amend the Constitution so as to prohibit the sale of intoxicating liquors as a beverage."

"An act to incorporate the Zeta Phi Fraternity, in the village of Delhi."

Mr. Abell, from the committee on railroads, to which was referred the petition of Thos. C. Bates and others, for a horse railroad in the city of Rochester, reported by bill entitled "An act to promote the construction of horse railroads in and running east from the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act for the appointment of trustees of Eliza Sanderson, late Eliza McBlair, and for other purposes," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Truman and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the construction of a railroad in Tenth avenue and certain other streets and avenues in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act for the relief of Mary Worrall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 261, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange and promissory notes,' passed April 14, 1849," with power to report complete, reported that they have made sundry amendments thereto, and had amended the title thereof so as to read "An act in relation to demand and protest of bills of exchange, bank checks and promissory notes falling due on certain holidays," and as amended, recommend

its passage, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to prevent bribery and corruption," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Rotch asked and obtained leave to introduce a bill entitled "An act for the relief of Augusta Reubell," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rotch and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent, Mr. Montgomery, for Mr. Lapham, asked and obtained leave to introduce a bill entitled "An act authorizing William Griffin to convey by deed, his title to a certain house and lot in the village of Plattsburgh to the trustees of the First Methodist Episcopal church of said village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Montgomery and by unanimous consent, the rules were suspended and said bill was referred to the committee on the judiciary, to report complete.

By unanimous consent, Mr. Hillhouse asked and obtained leave to introduce a bill entitled "An act granting the consent of the State of New York to the purchase by the United States of land in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act amendatory of the several acts relating to district schools in the city of Albany," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended and said bill was referred to the committee on literature, to report complete.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend section 1, chapter 506 of the Laws of 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended and said bill was referred to the committee on incorporation of cities and villages, to report complete.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Bank Superintendent, on savings banks, reported in favor of the adoption of the following resolution:

Resolved, That 1,000 extra copies of the report of the Bank Superintendent, on savings banks, be printed for the use of the Senate.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the annual report of the

Auditor of the Canal Department, reported in favor of the adoption of the following resolution:

Resolved, That there be printed for the use of the Senate 2,000 extra copies of the annual report of the Auditor of the Canal Department, on the trade, tolls and tonnage of the canals.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. Richmond, from the committee on railroads, to which was referred the bill entitled "An act to regulate the rate of milk freight on the New York and Harlem railroad," reported in writing, and adversely thereto.

Mr. Ketcham moved to disagree with the committee in their report, and to refer said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The written report of the committee was laid on the table and ordered printed.

(See Doc. No. 52.)

The bill entitled "An act to legalize the formation of school district No. 18, in the town of Cortlandt, Westchester county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Hammond	P. P. Murphy	Robertson	
Bell	Fiero	Ketcham	Prosser	Rotch	
Blood	Goss	Lapham	Ramsey	Spinola	
Connolly	Grant	Montgomery	Richmond	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Zeta Phi Fraternity, in the village of Delhi," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	P. P. Murphy	Rotch	
Colvin	Grant	Manierre	Prosser	Warner	
Connolly	Hammond	Montgomery	Ramsey	Williams	
Fiero	Ketcham	J. M. Murphy			18

FOR THE NEGATIVE.

Abell	Lapham	Richmond	2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Goss moved to take from the table the motion to reconsider the vote on the bill entitled "An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Grant	Lawrence	J. M. Murphy	Rotch
Blood	Kelly	Manierre	Ramsey	Truman
Colvin	Lapham	Munroe	Richmond	Warner
Connolly				

16

FOR THE NEGATIVE.

Bell	Hammond	Montgomery	Prosser	Spinola
Fiero	Ketcham	P. P. Murphy	Robertson	Williams
Goss	McGraw			

12

By unanimous consent, Mr. Prosser moved that the bill entitled "An act in relation to the Erie, Oswego, and Cayuga and Seneca canals," be referred to the first committee of the whole, after to-day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the society for the relief of poor widows with small children,' passed April 5, 1810."

"An act to incorporate a special board of trustees to hold and manage certain funds for the benefit of the First Methodist Episcopal church, John street, in the city of New York."

"An act releasing the interest of the people of the State of New York, in certain premises situate in the town of Prattsburgh, in the county of Steuben to the superintendents of the poor of said county."

After some time spent therein, the President resumed the chair, and Mr. Ketcham, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Ketcham, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Ketcham, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act in relation to persons held in custody, and imprisoned by virtue of civil process, in the county jails of the counties of New York and Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. J. M. Murphy, for Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to establish a Nautical School in the harbor of the city of New York," which read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. P. P. Murphy moved that the bill entitled "An act for the relief of Elisha Smedley," be referred to the first committee of the whole, after to-day.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of general orders.

After some time spent therein, the President resumed the chair, and announced the special order, being the consideration of the resolutions reported by the committee on federal relations.

Mr. Munroe moved to postpone said special order until one week from to-day, at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the further special order, being the consideration of the annual message of his Excellency the Governor.

Mr. Goss moved to postpone said special order until one week from to-day, at 12 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resumed the consideration of the general orders, pending at the hour of 12 o'clock, being the bills entitled as follows:

"An act to provide for the payment of interest on certain canal drafts, certificates and awards."

"An act in relation to the State Arsenal and lands in the city of Brooklyn."

"An act to authorize the Superintendent of the Onondaga Salt Springs to exchange certain lands in Syracuse."

After some time spent therein, the President resumed the chair, and Mr. Connolly, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. Connolly, from the same committee, reported that they had made sundry amendments to the second named bill, and amended the title by adding the words "and in the village of Ballston and county of Saratoga;" also, by striking out the word "arsenal" and inserting in lieu thereof the word "arsenals," and in favor of the passage of the same, as amended, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Connolly, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Montgomery, for Mr. Lapham, asked and obtained leave to introduce a bill entitled "An act to allow Peter F. Bellinger, an individual banker, conducting banking business under the banking laws of this State, to change the name assumed by him in such banking business, by substituting the word "Bellinger" for "Iron" in the title to the notes issued to him by the Superintendent of the Bank Department," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Montgomery and by unanimous consent, the rules were suspended, and said bill was referred to the committee on banks, to report complete.

By unanimous consent, Mr. Bell moved that the bill entitled "An act to incorporate the New York Navigation and Colonization company," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act conferring certain powers on the corporate authorities of the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, Mr. Spinola moved to suspend the rules, and to refer said bill to the committee on incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

Assembly bill, "An act in relation to the construction of sidewalks in the village of Masonville, in Delaware county."

Assembly bill, "An act for the relief of Jacob Houck, Peter Houck and Catharine Ann Houck."

"An act to incorporate the New York Navigation and Colonization company."

After some time spent therein, the President resumed the chair, and Mr. Robertson, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Robertson, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Truman moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative.

Mr. Truman moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	Kelly	P. P. Murphy	Spinola	
Connolly	Grant	Ketcham	Richmond	Truman	
Gardiner	Hammond				12

FOR THE NEGATIVE.

Bell	Fiero	Manierre	J. M. Murphy	Robertson	
Colvin	Lapham	Montgomery	Prosser	Rotch	
Ferry	McGraw	Munroe	Ramsey	Warner	15

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow at 10 o'clock.

FRIDAY, MARCH 15, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Rudder.

The journal of yesterday was read and approved.

Messrs. Fiero, Ketcham, Lapham, Montgomery, Goss, P. P. Murphy, Robertson, Rotch, Truman, Munroe, McGraw, Colvin, Warner, Hammond and Bell, severally, presented remonstrances against allowing railroad companies to abandon the whole or any portion of their roads, which were read and referred to the committee on railroads.

Mr. Lapham presented a petition of town officers and leading inhabitants of the town of Plattsburgh, for authority to borrow money to build a bridge across the Saranac river, which was read and referred to the committee on roads and bridges.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which were referred the petitions of inhabitants of Richmond county, for a portion of the Battery for ferry purposes, reported by bill entitled "An act to authorize the corporation of the city of New York to construct a basin in front of the Battery for the accommodation of ferries to Staten Island, of the barges of the United States, and of the harbor police," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Colvin moved to suspend the rules, and that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	McGraw	J. M. Murphy	Rotch
Blood	Hammond	Manierre	P. P. Murphy	Truman
Colvin	Lapham	Montgomery	Prosser	Warner
Connolly	Lawrence	Munroe	Richmond	Williams
Ferry				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to declare the village of Ouba a separate road district, and to provide for raising money by tax therein for highways and sidewalks, and compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to establish a Nautical School in the harbor of the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act amendatory of the several acts relating to the district schools in the city of Albany," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. J. M. Murphy, from the committee on literature, to which was referred the petition A. Oakey Hall and other, for the more general diffusion

of text books relating to governments and laws, reported by bill entitled 'An act to provide for the more general diffusion of information relating to governments and laws,' which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on medical societies, to which was referred the Assembly bill entitled "An act to incorporate the Bellevue Hospital Medical College of the city of New York, of the State of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the water commissioners of the village of Watertown to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize a part of the records, and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson."

"An act to authorize the Superintendent of the Onondaga Salt Springs to exchange certain lands in Syracuse."

"An act in relation to the State Arsenal and lands in the city of Brooklyn, and the village of Ballston, in the county of Saratoga."

"An act to amend an act entitled 'An act to incorporate the society for the relief of poor widows with small children,' passed April 5, 1810."

"An act releasing the interest of the people of the State of New York, in certain premises situate in the town of Prattsburgh, in the county of Steuben, to the superintendents of the poor of said county."

"An act to incorporate the New York Navigation and Colonization company."

"An act in relation to demand and protest on bills of exchange, bank checks and promissory notes falling due on certain holidays."

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to organize the State Lunatic Asylum for Insane convicts,'" reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 8, article 2, title 5, chapter 1, of part 4 of the Revised Statutes, concerning unlawful marriages and incest," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond from the committee on the judiciary, to which was referred the bill entitled "An act to amend part 1st, title 13, chapter 18, section 87 of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act for the appointment of trustees of Eliza Sanderson, late Eliza McBrair, and for other purposes," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing William Griffin to convey by deed his title to a certain house and lot in the village of Plattsburgh to the trustees of the First Methodist Episcopal church in said village," with

power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Augusta Reubell," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the trial of civil actions in the Supreme, Common Pleas, and Superior Courts, in the first judicial district," reported that they have made sundry amendments thereto, and have amended the title thereof so as to read "An act to prevent postponement or delay of trial in civil causes in courts of record, by reason of the absence of counsel," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of Mary Worrall," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the petition of John B. Kimball for an act to confirm his election as justice of the peace, reported by bill entitled "An act to confirm the election of John B. Kimball as justice of the peace, in and for the town of Brownville, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 1, title 5, chapter 20 of the 1st part of the Revised Statutes," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend section 1, chapter 506 of the Laws of 1851," reported in favor of the passage of the same.

Mr. Goss moved to refer said bill to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Munroe, from the committee on banks, to which was referred the bill entitled "An act to allow Peter F. Bellinger, an individual banker, conducting banking business under the banking laws of this State, to change the name assumed by him in such banking business, by substituting the word 'Bellinger' for 'Iron' in the title to the notes issued to him by the Superintendent of the Bank Department," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend the charter of the New York and Flushing railroad company," reported in favor of the passage of the same.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

By unanimous consent Mr. Fiero moved that the bill entitled "An act to amend the charter of the Schoharie Kill bridge company," be recommitted to the committee on roads and bridges.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Hammond moved that the bill entitled "An act to amend article 8d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments made pursuant to the application of an insolvent and his creditors;' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them,'" be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act for the better protection of steamboat piers in the city of New York," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," reported in favor of the passage of the same.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to regulate charges incurred on account of the public health in the county of Niagara."

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to amend article 8d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments, made pursuant to the application of an insolvent and his creditors;' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them,'" with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to aid the Woman's Hospital of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to authorize the revival of the proceedings heretofore initiated by the Board of Commissioners of the Central Park, for and in behalf of the mayor, aldermen and commonalty of the city of New York, pursuant to the provisions of an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act in relation to cases of murder and of arson, occurring previously to the 4th day of May, in the year 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to incorporate the Alemannia Life Policy-holders Society, in the city of New York," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on insurance companies.

The bill entitled "An act to regulate charges incurred on account of the public health in the county of Niagara," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Rotch
Blood	Goss	Lawrence	J. M. Murphy	Truman
Colvin	Grant	McGraw	P. P. Murphy	Warner
Connolly	Hammond	Manierre	Prosser	Williams
Ferry	Kelly	Montgomery		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the society for the relief of poor widows with small children,' passed April 5, 1810," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Grant	Lawrence	P. P. Murphy	Rotch
Connolly	Hammond	Manierre	Prosser	Truman
Ferry	Kelly	Montgomery	Richmond	Warner
Goss	Ketcham	J. M. Murphy	Robertson	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act releasing the interest of the people of the State of New York, in certain premises situate in the town of Prattsburgh, in the county of Steuben to the superintendents of the poor, of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	J. M. Murphy	Robertson
Blood	Goss	McGraw	P. P. Murphy	Rotch
Colvin	Hammond	Manierre	Prosser	Truman
Connolly	Kelly	Montgomery	Ramsey	Warner
Ferry	Ketcham	Munroe	Richmond	Williams
Fiero	Lapham			

27

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to the State Arsenals and lands in the city of Brooklyn and in the village of Ballston, in the county of Saratoga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Fiero	Kelly	Ramsey	Rotch
Colvin	Gardiner	Lapham	Robertson	Truman
Connolly	Goss	J. M. Murphy		

13

FOR THE NEGATIVE.

Bell	Hammond	Manierre	P. P. Murphy	Warner	
Ferry	Ketcham	Montgomery	Prosser	Williams	
Grant	McGraw	Munroe	Richmond		14

Mr. Gardiner moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act in relation to the construction of sidewalks in the village of Masonville, in Delaware county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	J. M. Murphy	Richmond	
Colvin	Grant	McGraw	P. P. Murphy	Rotch	
Connolly	Hammond	Montgomery	Prosser	Truman	
Ferry	Kelly	Munroe	Ramsey	Warner	
Fiero					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act to authorize the commissioners of highways of the town of Plattsburgh, in the county of Clinton, to borrow money to build a bridge, and to tax the town for payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The bill entitled "An act to authorize the superintendent of the Onondaga Salt Springs to exchange certain lands in Syracuse," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	P. P. Murphy	Rotch	
Blood	Goss	Lawrence	Prosser	Truman	
Connolly	Grant	McGraw	Ramsey	Warner	
Ferry	Hammond	Montgomery	Richmond	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act for the relief of Jacob Houck, Peter Houck and Catharine Ann Houck," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	P. P. Murphy	Robertson	
Blood	Goss	Lawrence	Prosser	Rotch	
Connolly	Hammond	Munroe	Ramsey	Truman	
Ferry	Hillhouse				17

FOR THE NEGATIVE.

Colvin	Grant	Richmond	Warner	Williams	7
Fiero	Montgomery				

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate the New York Navigation and Colonization company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	J. M. Murphy	Rotch
Blood	Gardiner	Kelly	P. P. Murphy	Truman
Colvin	Goss	Lawrence	Ramsey	Warner
Connolly	Grant	Montgomery	Robertson	Williams
Ferry	Hammond	Munroe		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act in relation to fines, recognizances and forfeitures," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment, to wit :

"An act to authorize the town of Ossining, in the county of Westchester, and State of New York, to raise money by bond."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the commissioners of highways of the town of Plattsburgh, in the county of Clinton, to borrow money to build a bridge, and to tax the town for payment of the same," reported in favor of the passage of the same,

On motion of Mr. Lapham and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	J. M. Murphy	Rotch
Blood	Gardiner	Lawrence	P. P. Murphy	Spinola
Colvin	Goss	Montgomery	Prosser	Truman
Connolly	Grant	Munroe	Ramsey	Williams
Ferry	Hammond			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Munroe offered the following resolution :

Resolved, That the Senate hold a session this afternoon, commencing at four o'clock, for the consideration of general orders.

Mr. Grant moved to amend by striking out the word "four" and inserting in lieu thereof the word "seven."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Montgomery	Prosser	Truman	6
Fiero					

FOR THE NEGATIVE.

Blood	Goss	Lapham	Ramsey	Warner	
Connolly	Hillhouse	Manierre	Rotch	Williams	
Gardiner	Kelly	Munroe	Spinola		14

Mr. Robertsan moved to amend by striking out "four" and inserting "half-past seven."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative.

Mr. Truman offered the following resolution:

Resolved, That the bill entitled "An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Connolly moved that the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Ferry moved to take from the table the following resolution:

Resolved, That a select committee of eight be appointed by the President, to whom shall be referred all bills on the general orders, with instructions to select therefrom such bills as are in their judgment proper to be referred to the standing committees which reported them, with power to report complete; but the committee shall not report any bill making an appropriation from the public treasury, nor any bill relating to city railroads, nor shall they have power to take any bill from the general orders without the assent of six of the members of said committee: the committee shall make a list of the bills so taken off by them, which list shall be read by the Clerk, and if approved of by a majority of all the members of the Senate, the said bills shall be so referred. No standing committee to whom any bill shall be referred back to report complete, by virtue of this resolution, shall be authorized to incorporate any amendment embracing a subject wholly distinct from the subject of the bill referred to them.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved to amend by adding the following:

"And shall not report any bill on which a minority report has been made in either House."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Goss	Ketcham	J. M. Murphy	Robertson	
Connolly	Hillhouse	Montgomery	P. P. Murphy	Rotch	
Ferry	Kelly	Munroe	Prosser	Warner	15

FOR THE NEGATIVE.

Abell	Gardiner	McGraw	Richmond	Truman	
Blood	Hammond	Manierre	Spinola	Williams	
Fiero	Lawrence	Rainsey			13

When the name of Mr. Blood was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to persons held in custody and imprisoned by virtue of civil process in the county jails of the counties of New York and Kings," reported that they have made sundry amendments thereto, and amended the title so as to read "An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property by means of fire and burglar proof safes, to be located in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment yesterday, being the bills entitled as follows:

"An act to authorize a part of the records and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson."

Assembly bill, "An act to provide for draining 'Deer Ridge' or 'Wine Creek' swamp, in the town of Scriba, in the county of Oswego."

"An act to amend the charter of the Hebrew Reform and Benevolent Society of the city of Albany."

After some time spent therein, the President resumed the chair, and Mr. Robertson, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of Elisha Smedley."

"An act for the relief of James Burke and Lawrence Claffy."

"An act in relation to the Erie, Oswego, and Cayuga and Seneca canals."

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported in favor of the passage of said bills, with amendments, which report was agreed to, and said bills ordered engrossed for a third reading.

The Senate again resolved itself into a committee of the whole, and pro-

ceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend section 1, chapter 506 of the Laws of 1851."

"An act for the relief of the Madison University."

"An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860."

After some time spent therein, the President resumed the chair, and Mr. Richmond, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Richmond, from the same committee, reported in favor of the passage of the last named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Fiero moved that the bill entitled "An act authorizing the village of Binghamton to take stock in the Binghamton Water Works company," be recommitted to the committee on incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. J. M. Murphy moved that the bill entitled "An act for the sale of the Quarantine land on Staten Island," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Robertson moved that the Assembly bill entitled "An act to amend an act entitled 'An act to elect overseers of highways in the town of Greenburgh, Westchester county, by districts,'" be recommitted to the committee on roads and bridges, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lapham moved that the bill entitled "An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hammond moved that the bill entitled "An act to authorize the trustees of the Asylum for Idiots to purchase additional land," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Spinola moved that the bill entitled "An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Montgomery moved that the bill entitled "An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Grant moved that the bill entitled "An act entitled 'An act repealing the act entitled 'An act to confirm a grant or resolution of the common

council of the city of New York, authorizing the construction of a railroad in certain streets and avenues in said city, and to authorize the construction of said railroad," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Rotch moved that the bill entitled "An act making an appropriation in aid of the New York State Agricultural College," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Goss moved that the bill entitled "An act for the relief of Percy Ann Clough for canal damages," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

SATURDAY, MARCH 16, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Seelye.

The journal of yesterday was read and approved.

Mr. Bell presented a petition for the relief of Nathan Strong, supervisor of the town of Rodman, in the county of Jefferson, which was read and referred to the committee on the judiciary.

Also a petition of J. A. Canfield and ninety other citizens of the town of Lyme, Jefferson county, for a prohibitory liquor law, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Hillhouse, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the first day of October, 1861," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hillhouse moved that said bill be made the special order for Tuesday evening next at 7 o'clock, and that the Senate hold a session on that evening for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act, to amend an act entitled 'An act to elect overseers of highways in the town of Greenburgh, Westchester county, by districts,' with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the majority of the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17,

1860," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Richmond, from the committee on railroads, to which was referred the bill entitled "An act to amend the charter of the Long Island railroad company," reported in favor of the passage of the same, with amendments.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Richmond, from the committee on railroads, to which was referred the Assembly bill entitled "An act to amend the charter of the New York and Flushing railroad company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Spinola, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," reported in favor of the passage of the same.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to fines, recognizances and forfeitures," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to repeal an act entitled 'An act in relation to capital punishment and to provide for the more certain punishment of the crime of murder,' passed April 14, 1860," reported that they have made sundry amendments thereto, and amended the title so as to read "An act providing for the punishment of the crime of treason, murder and arson in the first degree," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to cases of murder and of arson occurring previously to the 4th day of May, in the year 1860," reported in favor of the passage of the same, with amendments.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was recommitted to the committee on the judiciary, to report complete.

The President presented a communication from the Commissioners of the Land Office, in reply to a resolution of the Senate in relation to the papers

in the claim of Gertrude C. Doe, which was laid on the table and ordered printed.

(See Doc. No. 53.)

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act for the relief of the Hammondsport and Pleasant Valley Wine company."

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to incorporate the village of Panama."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860."

"An act in relation to the Erie, Oswego, and Cayuga and Seneca canals."

"An act for the relief of James Burke and Lawrence Claffy."

"An act for the relief of Elisha Smedley."

"An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents."

"An act to authorize the commissioners of highways of the town of Plattsburgh, in the county of Clinton, to borrow money and build a bridge, and to tax the town for payment of the same."

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to authorize the board of supervisors of the county of Lewis to raise two thousand five hundred and fifty dollars, upon the taxable property of the town of Lowville," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bell and by unanimous consent, the rules were suspended and said bill was referred to the committee on internal affairs of towns and counties, to report complete.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to amend chapter 228 of the Laws of 1858, entitled 'An act to amend an act to establish regulations for the port of New York, passed April 16, 1857,' passed April 15, 1858," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Truman and by unanimous consent, the rules were suspended and said bill was referred to the committee on commerce and navigation, to report complete.

By unanimous consent, Mr. Prosser asked and obtained leave to introduce a bill entitled "An act in relation to inland navigation insurance companies," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Prosser and by unanimous consent, the rules were suspended, and said bill was referred to the committee on insurance companies, to report complete.

The order of business of third reading of bills having been announced—Mr. Hammond moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. J. M. Murphy moved that the rules be suspended and the committee of the whole discharged from the further consideration of the bill entitled "An act ceding jurisdiction to the United

States over lands to be occupied as sites of light-houses and keepers' dwellings, within this State," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to revise and amend the charter of the city of Utica," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act authorizing the village of Binghamton to take stock in the Binghamton Water Works company," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. Ketcham offered the following resolution :

Resolved, That when the Senate adjourns to-day, it adjourn to meet at 7½ P. M., Monday evening.

Pending the question on the adoption of said resolution—

Mr. Spinola moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	J. M. Murphy	Ramsey	Spinola	
Colvin	Hillhouse	P. P. Murphy	Richmond	Truman	
Ferry	Ketcham	Prosser	Rotch	Williams	
Grant	Montgomery				17

FOR THE NEGATIVE.

Fiero	Goss	Robertson			8
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The President directed that all persons except Senators, officers and reporters should retire from the chamber, and that the doors be closed.

The President then directed the clerk to call the roll—when the following Senators were found to be present, to wit :

Bell	Goss	Ketcham	Prosser	Rotch	
Colvin	Grant	Montgomery	Ramsey	Spinola	
Ferry	Hammond	J. M. Murphy	Richmond	Truman	
Fiero	Hillhouse	P. P. Murphy	Robertson	Williams	20

Mr. Spinola moved that the absent Senators, except Senator Abell, shall be held in contempt, and not allowed to participate in the proceedings of the Senate until excused by the Senate for their absence, and that further proceedings under the call be suspended.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate resumed the consideration of the question pending at the hour of ordering a call of the Senate, being on the adoption of the resolution to adjourn until Monday evening.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Ketcham	Richmond	Spinola	Williams	
Fiero	J. M. Murphy	Robertson			8

FOR THE NEGATIVE.

Colvin	Hammond	Montgomery	Prosser	Rotch	
Goss	Hillhouse	P. P. Murphy	Ramsey	Truman	
Grant					11

When the name of Mr. Ferry was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Fiero offered the following resolution:

Resolved, That hereafter, each and every Senator who shall be absent from his seat during the hours of the session, for five minutes, shall be held in contempt.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Fiero	Robertson	Spinola	3
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FOR THE NEGATIVE.

Bell	Grant	Montgomery	Prosser	Rotch	
Colvin	Hammond	J. M. Murphy	Ramsey	Truman	
Ferry	Hillhouse	P. P. Murphy	Richmond	Williams	
Goss	Ketcham				17

Mr. Hammond moved to reconsider the vote making the Assembly bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the first day of October, in the year 1861," a special order for Tuesday evening next, and providing for a session of the Senate on that evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased."

"An act for the sale of the Quarantine land on Staten Island."

"An act to authorize the trustees of the Asylum for Idiots to purchase additional land."

After some time spent therein, the President resumed the chair, and Mr. Goss, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857," reported in favor of the passage of the same, with amendments.

On motion of Mr. Truman and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Ferry moved that he be granted leave of absence until Monday morning at 11 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved that leave of absence be granted to Mr. Bell until Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Fiero moved that he be granted leave of absence until Monday night.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Richmond moved that he be granted leave of absence until Monday evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Grant	Hammond	Hillhouse	Rotch	Truman	5
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FOR THE NEGATIVE.

Colvin	Ketcham	J. M. Murphy	Ramsey	Robertson
Fiero	Montgomery	Prosser	Richmond	Spinola
Goss				

Mr. Truman asked and the President directed the clerk to call the roll, when the following Senators were found to be present :

Abell	Grant	Montgomery	Ramsey	Rotch
Colvin	Hammond	J. M. Murphy	Richmond	Spinola
Fiero	Hillhouse	Prosser	Robertson	Truman
Goss	Ketchum			

On motion of Mr. Hammond, and by unanimous consent,

Resolved, That a respectful message be sent to the Hon. the Assembly, requesting that body to return to the Senate, the Assembly bill entitled "An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes," and that when received, the same be recommitted to the committee on the judiciary.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein."

"An act for the relief of Percy Ann Cough for canal damages."

"An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief."

After some time spent therein, the President resumed the chair, and Mr. Ketcham, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Ketcham, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

Mr. J. M. Murphy moved that the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York,' be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hammond moved that the bill entitled "An act establishing a fund

for the benefit of the Stockbridge Indians, and for their relief," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Prosser moved that the Assembly bill entitled "An act to extend the jail limits of the county of Erie," be recommitted to the committee on internal affairs of towns and counties, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to cases of murder and arson in the first degree, occurring previously to the 4th of May, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Montgomery moved that the bill entitled "An act to establish a fund for the benefit of the Cayuga nation of Indians residing in this State," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Ramsey moved that the bill entitled "An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. P. P. Murphy moved that the bill entitled "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hillhouse moved that the bill entitled "An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Spinola, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors, passed April 16, 1857,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

On motion of Mr. Truman, the Senate adjourned.

MONDAY, MARCH 18, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of Saturday was read and approved.

Mr. Munroe, by direction of the President, appeared at the bar, to render his excuse for being absent from the Senate at a call thereof, and having rendered the same—

Mr. Hammond moved that he be excused.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved that Messrs. Grant, Ketcham and Ramsey, who are absent this morning, be declared in contempt.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Montgomery presented a petition of citizens of the town of Clinton, Clinton county, for the passage of a law to divide said town, which was read and referred to the committee on erection and division of towns and counties.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Lewis to raise \$2,550 upon the taxable property of the town of Lowville," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to extend the jail limits of the county of Erie," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act in relation to certain sales made by one of the commissioners for loaning certain moneys of the United States."

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 226 of the Laws of 1858, entitled 'An act to amend an act to establish regulations for the port of New York, passed April 16, 1857,' passed April 15, 1858," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act further to amend chapter 13, of part 1st of the Revised Statutes, entitled 'Of the assessment and collection of taxes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act to erect a new town from the town of Clinton, in the county of Clinton, to be called Frontier," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

Mr. Grant, by direction of the President, appeared at the bar, and having stated his excuse for being absent from the Senate this morning—

On motion of Mr. Williams, he was excused.

Mr. Ramsey, by direction of the President, appeared at the bar, and having stated his excuse for being absent from the Senate this morning—

On motion of Mr. Rotch, he was excused.

Mr. Colvin moved to rescind the resolution adopted on Saturday making the bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the first day of October, 1861," a special order for Tuesday evening, and providing for a session of the Senate on that evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be returned to the Assembly, with a respectful message calling the attention of that body to the 19th joint rule of the Senate and Assembly, in the words following, to wit:

"19. The supply bill and annual appropriation bill, shall be reported by the 15th day of March, and printed immediately thereafter, and made the special order for the 25th day of March next, immediately after the reading of the journal."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the Assembly bill entitled "An act to amend section 1, title 5, chapter 20, of the 1st part of the Revised Statutes," as requested by resolution of the Senate.

Ordered, That said bill be referred to the committee on the judiciary.

Mr. Hammond moved that the Assembly bill entitled "An act to amend an act entitled 'An act to declare the village of Cuba a separate road district, and to provide for raising money by tax therein for highways and sidewalks, and compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859," be recommitted to the committee on incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Robertson moved that the bill entitled "An act in relation to division fences," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss moved that the bill entitled "An act for the relief of E. F. Hoyt, for canal damages," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge, at the termination of the Third avenue, in the city of New York.'"

"An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief."

"An act to authorize the trustees of the Asylum for Idiots to purchase additional land."

After some time spent thereip, the President resumed the chair, and Mr. Rotch, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered engrossed for a third reading.

Mr. Rotch, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The President announced the appointment of the select committee of eight to consider bills on the general orders, under the resolution of the Senate, to be as follows :

Messrs. Ferry, Bell, Hillhouse, Truman, Manierre, Sessions, Spinola and Grant.

Mr. Ketcham, by direction of the President, appeared at the bar, and having stated his excuse for being absent from the Senate this morning—

On motion of Mr. Robertson, he was excused.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act for the relief of Augusta Reubell."

"An act amendatory of the several acts relating to district schools in the city of Albany."

"An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860."

"An act authorizing the village of Binghamton to take stock in the Binghamton Water Works company."

"An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased."

"An act for the relief of Percy Ann Clough for canal damages."

"An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein."

"An act ceding jurisdiction to the United States over lands to be occupied as sites of light-houses and keepers' dwellings, within this State."

"An act for the sale of the Quarantine land on Staten Island."

Mr. Spinola moved that the bill entitled "An act to authorize the corporation of the city of New York to construct a basin in front of the Battery, for the accommodation of ferries to Staten Island, of the barges of the Army and Navy of the United States, and of the harbor police," be recommended to the committee on commerce and navigation.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

TUESDAY, MARCH 19, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Schnellendreußler.

The journal of yesterday was read and approved.

Messrs. Colvin, Ketcham and Blood, presented remonstrances against allowing railroad companies to abandon the whole or any portion of their road, which were read and referred to the committee on railroads.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act further to amend chapter 13 of part 1st of the Revised Statutes, entitled 'Of the assessment and collection of taxes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the petition of citizens of the village of Albion, for an amendment of the charter of said village, reported by bill entitled "An act to amend the charter of the village of Albion," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to declare the village of Cuba a separate road district, and to provide for raising money by tax therein for highways and sidewalks, and compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to division fences," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Messrs. Blood, Connolly, Kelly, Lapham, McGraw, Manierre, Warner, Lawrence and Gardiner, by direction of the President, appeared at the bar to render their excuse for being absent from the Senate at a call thereof on Saturday last, and having rendered the same—

On motion, they were severally excused.

Mr. Richmond, from the committee on railroads, to which was referred the bill entitled "An act to amend the charter of the Long Island railroad," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

The President presented a memorial in relation to the closing of Hamilton Square, from the Comptroller of the city of New York, which was read and referred to the committee on incorporation of cities and villages.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to alter and amend the map or plan of the city of New York, by closing Hamilton square, and extending 67th and 68th streets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

A message from the Assembly was received and read, in the words following, to wit:

Resolved, That a respectful message be sent to the Senate, requesting them to return to this House the bill entitled "An act for the relief of Hammondport and Pleasant Valley Wine company."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That the 19th joint rule of the Senate and Assembly be suspended, for the purpose of the immediate consideration of the supply bill and annual appropriation bill.

Ordered, That said resolution be laid on the table.

Mr. Fiero from the select committee to which was referred the resolution in relation to excise, reported by bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend article 3d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments, made pursuant to the application of an insolvent and his creditors;,' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them.'"

"An act to allow Peter F. Bellinger, an individual banker, conducting banking business under the banking laws of this State, to change the name assumed by him in such banking business by substituting the word 'Bellinger' for 'Iron' in the title to the notes issued to him by the Superintendent of the Bank Department."

"An act authorizing William Griffin to convey by deed his title to a certain house and lot in the village of Plattsburgh to the trustees of the first Methodist Episcopal church of said village."

"An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York.'"

"An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858."

"An act for the appointment of trustees of Eliza Sanderson, late Eliza McBrair, and for other purposes."

"An act in relation to cases of murder, and of arson in the first degree, occurring previously to the 4th day of May, 1860."

"An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons."

"An act establishing a fund for the benefit of the Stockbridge Indians and for their relief."

"An act to authorize the trustees of the Asylum for Idiots to purchase additional land."

"An act in relation to fines, recognizances and forfeitures."

By unanimous consent, Mr. Munroe asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to remove

doubts concerning the corporation of the chamber of commerce, and to confirm the rights and privileges thereof,' passed April 13, 1784," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act for the promotion of agriculture and civilization among the Indians in this State," which was read the first time and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act to legalize the official acts of Nathan Strong, as supervisor of the town of Rodman, in the county of Jefferson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hillhouse asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes, passed April 13, 1855,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

The Assembly bill entitled "An act to provide for draining 'Deer Ridge' or 'Wine Creek' swamp, in the town of Scriba, in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	J. M. Murphy	Robertson
Blood	Grant	McGraw	P. P. Murphy	Rotch
Colvin	Hammond	Manierre	Prosser	Spinola
Connolly	Kelly	Montgomery	Ramsey	Warner
Ferry	Ketcham	Munroe	Richmond	Williams
Fiero				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The bill entitled "An act to authorize a part of the records, and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Montgomery	Robertson
Blood	Goss	Lapham	Munroe	Truman
Colvin	Grant	Lawrence	J. M. Murphy	Warner
Connolly	Hammond	McGraw	P. P. Murphy	Williams
Ferry	Hillhouse	● Manierre	Richmond	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Augusta Reubell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Munroe	Rotch
Colvin	Grant	Lawrence	J. M. Murphy	Truman
Connolly	Hammond	McGraw	P. P. Murphy	Warner
Ferry	Hillhouse	Manierre	Richmond	Williams
Fiero	Ketcham	Montgomery	Robertson	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act amendatory of the several acts relating to district schools in the city of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	P. P. Murphy	Rotch
Colvin	Grant	Montgomery	Prosser	Truman
Connolly	Hammond	Munroe	Richmond	Warner
Ferry	Hillhouse	J. M. Murphy	Robertson	Williams
Fiero	Kelly			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to demand and protest on bills of exchange, bank checks and promissory notes falling due on certain holidays," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	P. P. Murphy	Spinola
Blood	Goss	Lapham	Prosser	Truman
Colvin	Grant	Montgomery	Robertson	Warner
Connolly	Hammond	J. M. Murphy	Rotch	Williams
Fiero	Hillhouse			

23

FOR THE NEGATIVE.

Ferry	McGraw	Manierre	Munroe	Richmond
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the Assembly bill entitled "An act to incorporate the Bellevue Hospital Medical college of the city of New York, of the State of New York," having been announced—

Mr. Truman moved to recommit, with instructions to amend by inserting the following as an additional section, and to report the same back forthwith :

§ 8. And provided further, that this section shall not be so construed as to exclude from the hospital the students of the Homeopathic college, chartered by the Legislature of 1860.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act for the relief of Elisha Smedley," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Montgomery	Richmond
Blood	Goss	Lapham	Munroe	Rotch
Colvin	Hammond	Lawrence	J. M. Murphy	Truman
Connolly	Hillhouse	McGraw	P. P. Murphy	Warner
Ferry	Kelly	Manierre	Prosser	Williams
Fiero				

26

FOR THE NEGATIVE.

Grant

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of James Burke and Lawrence Claffy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	J. M. Murphy	Rotch
Blood	Hammond	McGraw	P. P. Murphy	Truman
Colvin	Hillhouse	Manierre	Prosser	Warner
Connolly	Kelly	Munroe	Robertson	Williams
Ferry	Lapham			

22

FOR THE NEGATIVE.

Grant

Ketcham

Montgomery

Richmond

4

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	McGraw	Prosser	Truman
Blood	Hammond	Manierre	Richmond	Warner
Connolly	Hillhouse	Montgomery	Robertson	Williams
Ferry	Lapham	Munroe	Rotch	

19

FOR THE NEGATIVE.

Goss

Kelly

Spinola

3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend article 8d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments, made pursuant to the application of an insolvent and his creditors;' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them,' " was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lawrence	Ramsey	Spinola
Connolly	Kelly	J. M. Murphy	Richmond	Truman
Fiero	Ketcham	Prosser	Robertson	Williams
Gardiner	Lapham			

17

FOR THE NEGATIVE.

Bell	Grant	Manierre	Munroe	Rotch
Blood	Hillhouse	Montgomery	P. P. Murphy	Warner
Ferry	McGraw			

12

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the appointment of trustees of Eliza Sanderson, late Eliza McBair, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Robertson
Blood	Hammond	Manierre	P. P. Murphy	Rotch
Connolly	Hillhouse	Montgomery	Prosser	Truman
Ferry	Kelly	Munroe	Ramsey	Williams
Fiero	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act authorizing William Griffin to convey by deed his title to a certain house and lot in the village of Plattsburgh to the trustees of the first Methodist Episcopal church of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Rotch
Blood	Goss	Manierre	Prosser	Truman
Connolly	Grant	Montgomery	Richmond	Warner
Ferry	Hillhouse	Munroe	Robertson	Williams
Fiero	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to allow Peter F. Bellinger, an individual banker, conducting banking business under the banking laws of this State, to change the name assumed by him in such banking business by substituting the word 'Bellinger' for 'Iron' in the title to the notes issued to him by the Superintendent of the Bank Department," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	J. M. Murphy	Rotch
Blood	Gardiner	Lapham	P. P. Murphy	Truman
Colvin	Hammond	Montgomery	Prosser	Warner
Connolly	Hillhouse	Munroe	Richmond	Williams
Ferry				

21

FOR THE NEGATIVE.

Goss

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to elect overseers in the town of Greenburgh, Westchester county, by districts,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Kelly	J. M. Murphy	Robertson
Blood	Grant	Ketcham	P. P. Murphy	Rotch
Colvin	Hammond	Montgomery	Prosser	Truman
Ferry	Hillhouse	Munroe	Richmond	Warner
Gardiner				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act in relation to cases of murder, and of arson in the first degree, occurring previously to the 4th day of May, in the year 1860," having been announced—

Mr. Bell moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	J. M. Murphy	Spinola	Williams
Fiero	McGraw			

7

FOR THE NEGATIVE.

Blood	Hammond	Lawrence	P. P. Murphy	Robertson
Colvin	Hillhouse	Manierre	Prosser	Rotch
Connolly	Kelly	Montgomery	Ramsey	Truman
Gardiner	Lapham	Munroe	Richmond	Warner
Grant				

21

Mr. Bell moved to recommit to the committee on the judiciary, with instructions to amend by striking out the third section, in the words following, to wit:

"§ 3. Every person convicted of the crime of murder or the crime of arson in the first degree, for an offence committed previously to the 4th day of May, in the year aforesaid, except he shall have been previously sentenced to imprisonment for life, on the same indictment, by a judgment not then in force, and every person who may be hereafter convicted of such crimes committed previously to the said 4th day of May, in the year aforesaid, shall, upon his application, made before sentence of death shall be pronounced, and not otherwise, be sentenced to imprisonment in a State prison, at hard labor, for life."

Mr. Hammond moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	J. M. Murphy	Rotch	Warner
Fiero	McGraw	Richmond	Spinola	Williams
Goss	Munroe	Robertson	Truman	

14

FOR THE NEGATIVE.

Colvin	Gardiner	Lapham	P. P. Murphy	Ramsey
Connolly	Grant	Montgomery	Prosser	

9

The Assembly bill entitled "An act to amend the charter of the New York and Flushing railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Kelly	Montgomery	Prosser	Rotch
Fiero	Lapham	Munroe	Ramsey	Truman
Gardiner	Lawrence	J. M. Murphy	Richmond	Warner
Hammond	Manierre	P. P. Murphy	Robertson	Williams
Hillhouse				

21

FOR THE NEGATIVE.

Goss

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," having been announced—

Mr. Lapham moved to recommit, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lapham moved to recommit said bill to the first committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act in relation to fines, recognizances and forfeitures," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lapham	Munroe	Ramsey
Connelly	Hillhouse	Lawrence	J. M. Murphy	Robertson
Fiero	Kelly	Manierre	P. P. Murphy	Rotch
Grant	Ketcham	Montgomery	Prosser	Warner

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of light-houses and keepers' dwellings, within this State," having been announced—

On motion of Mr. Bell and by unanimous consent, said bill was amended by inserting the following as the fourth subdivision of section 2, viz:

"4. For a light-house on Sister Island, in the river St. Lawrence."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Munroe	Richmond
Blood	Goss	Lawrence	J. M. Murphy	Rotch
Colvin	Hammond	McGraw	P. P. Murphy	Spinola
Connelly	Kelly	Manierre	Prosser	Truman
Ferry	Ketcham	Montgomery	Ramsey	Warner

25

On motion of Mr. J. M. Murphy and by unanimous consent, the rules were suspended, and the Clerk ordered to deliver said bill to the Assembly and request their concurrence therein immediately.

The bill entitled "An act authorizing the village of Binghamton to take stock in the 'Binghamton Water Works company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Montgomery	Ramsey
Blood	Grant	Lapham	Munroe	Richmond
Colvin	Hammond	Lawrence	J. M. Murphy	Robertson
Connolly	Hillhouse	McGraw	P. P. Murphy	Rotch
Ferry	Kelly	Manierre	Prosser	Truman
Fiero				

28

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Richmond
Blood	Goss	Lapham	J. M. Murphy	Robertson
Connolly	Hillhouse	McGraw	P. P. Murphy	Truman
Ferry	Kelly	Manierre	Prosser	Warner
Fiero				

21

FOR THE NEGATIVE.

Colvin

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to extend the jail limits of the county of Erie," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	Munroe	Richmond
Blood	Hammond	Lawrence	J. M. Murphy	Robertson
Connolly	Hillhouse	McGraw	P. P. Murphy	Rotch
Fiero	Kelly	Manierre	Prosser	Warner
Gardiner	Ketcham	Montgomery	Ramsey	Williams
Goss				

26

FOR THE NEGATIVE.

Truman

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act for the sale of the Quarantine land on Staten Island," having been announced—

On motion of Mr. J. M. Murphy and by unanimous consent, said bill was amended by striking out the words in section six, "if in their judgment they shall deem for the interest of the State," and inserting in lieu

thereof the words "unless they shall deem it advisable to postpone such sale."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Montgomery	Richmond
Blood	Grant	Lapham	Munroe	Robertson
Connolly	Hammond	Lawrence	J. M. Murphy	Truman
Ferry	Hillhouse	McGraw	P. P. Murphy	Warner
Fiero	Kelly	Manierre	Ramsey	Williams
Gardiner				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York,'" having been announced—

Mr. Fiero moved to recommit, with instructions to amend by striking out the name of "Alsop H. Lockwood" and inserting in lieu thereof the name of "Abraham Hatfield."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Manierre	P. P. Murphy	Rotch
Connolly	Hillhouse	Montgomery	Prosser	Spinola
Fiero	Kelly	Munroe	Ramsey	Truman
Goss	Ketcham	J. M. Murphy	Robertson	Warner
Grant				

21

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to authorize the trustees of the Asylum for Idiots to purchase additional land," having been announced—

On motion of Mr. Munroe and by unanimous consent, said bill was amended by inserting after the word "land" in the third line, "or so much thereof as they may deem advisable."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Connolly	Hammond	Lawrence	J. M. Murphy	Rotch
Ferry	Hillhouse	McGraw	Prosser	Spinola
Gardiner	Kelly	Manierre	Ramsey	Warner
Goss	Ketcham	Munroe	Robertson	

FOR THE NEGATIVE.

Bell	Fiero	Montgomery	Richmond	Truman	
Blood	Grant	P. P. Murphy			8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Spinola moved to take from the table the motion to reconsider the vote on the bill entitled "An act in relation to the State arsenals and lands in the city of Brooklyn, and the village of Ballston, in the county of Saratoga."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	Prosser	Rotch	
Connolly	Hammond	Munroe	Ramsey	Spinola	
Fiero	Kelly	J. M. Murphy	Robertson	Truman	
Gardiner					16

FOR THE NEGATIVE.

Bell	Hillhouse	Montgomery	Richmond	Warner	
Grant	McGraw	P. P. Murphy			8

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	Ramsey	Spinola	
Connolly	Hammond	Munroe	Robertson	Truman	
Fiero	Kelly	J. M. Murphy	Rotch	Warner	
Gardiner	Ketcham	Prosser			18

FOR THE NEGATIVE.

Bell	Hillhouse	Manierre	P. P. Murphy	Richmond	
Grant	McGraw	Montgomery			8

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act for the relief of Percy Ann Clough for canal damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Robertson	
Blood	Hammond	McGraw	Prosser	Rotch	
Connolly	Hillhouse	Munroe	Ramsey	Spinola	
Fiero	Ketcham	J. M. Murphy	Richmond	Truman	
Gardiner	Lapham				22

FOR THE NEGATIVE.

Grant	Manierre	Montgomery			8
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1867," was read a third time.

The President put the question whether the Senate would agree to the final

passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Connolly	Gardiner	Lawrence	Manierre	Truman	
Ferry	Grant	McGraw	Munroe	Warner	
Fiero	Hillhouse				12

FOR THE NEGATIVE.

Bell	Montgomery	Prosser	Richmond	Spinola	
Goss	P. P. Murphy	Ramsey	Rotch		9

Mr. Warner moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to authorize the trustees of the Asylum for Idiots to purchase additional land."

Mr. Fiero moved that Messrs. Grant, P. P. Murphy and Munroe, the committee appointed to investigate certain charges against the New York Harbor Masters, have leave of absence for an indefinite period for the purpose of discharging the duties of said committee.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The third reading of the bill entitled "An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein," having been announced—

Mr. Hammond moved to recommit said bill to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Mr. Fiero moved to recommit, with instructions to amend by striking out the word "seven" in section 1, and inserting in lieu thereof the word "ten."

Pending the question, the hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

WEDNESDAY, MARCH 20, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

The journal of yesterday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following entitled bills as proper to be taken from the general orders and recommitted to the several committees reporting them, with power to report complete, to wit :

"An act to revise and amend the charter of the city of Utica."

"An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums."

"An act to incorporate the Neversink River plankroad company and to authorize the issuing and holding of certificates of stock therein."

"An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates."

"An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned."

Also, the following Assembly bills:

"An act to provide for the superintendent of the poor of the county of Livingston being keeper of the poor house of said county."

"An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831."

"An act in relation to the auditing of accounts by the board of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess and Niagara, and the duties of certain offices in connection therewith."

"An act authorizing and providing for the transfer of certain actions and proceedings from the city court of Brooklyn, to the Supreme Court."

"An act to revive and extend the charter of the 'New York Mills Fire company.'"

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Messrs. Lapham, Ketcham and Colvin, presented three several remonstrances against allowing railroad companies to abandon the whole or any portion of their roads, which were read and referred to the committee on railroads.

Mr. Goss presented a remonstrance of directors of the Buffalo and Williamsville McAdam road company, against passage of bill to confirm grants of street railways in Buffalo, which was read and referred to the committee on incorporation of cities and villages.

Mr. Truman presented a petition of Jones Ostrander, for law to legalize his acts as constable of the town of Danby, Tompkins county, which was read and referred to the committee on the judiciary.

Mr. Manierre presented a petition of the Lyon Manufacturing company of the city of New York, for permission to issue policies of insurance against fire, which was read and referred to the committee on insurance companies.

Mr. Lapham, from the committee on roads and bridges, to which was referred the bill entitled "An act to incorporate the Neversink River plank road company, and to authorize the issuing and holding of the certificates of stock therein," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties,

to which was referred the Assembly bill entitled "An act in relation to the auditing of accounts by the boards of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess and Niagara, and the duties of certain officers of said counties in connection therewith," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the superintendent of the poor of the county of Livingston being keeper of the poor house of said county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for reports from supervisors of towns," reported adversely thereto, which report was agreed to, and said bill rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 8, 1857," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 18, 1784," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton,' passed April 12, 1853, and the several acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to revive and extend the charter of the 'New York Mills Fire company,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to revise and amend the charter of the city of Utica," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,'" passed

April 11, 1881," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act authorizing and providing for the transfer of certain actions and proceedings from the city court of Brooklyn to the Supreme Court," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the official acts of Nathan Strong, as supervisor of the town of Rodman, in the county of Jefferson," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend chapter 275 of the Laws of 1850 entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act defining the offences of larceny from the person, and petit larceny, and for the punishment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend chapter 226 of the Laws of 1858, entitled 'An act to amend an act to establish regulations for the port of New York, passed April 16, 1857,' passed April 15, 1858."

"An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

"An act to authorize the board of supervisors of the county of Lewis to raise \$2,550 upon the taxable property of the town of Lowville."

"An act in relation to division fences."

The order of third reading of bills having been announced—the President stated that the question pending was on the motion of Mr. Fiero, made yesterday, to recommit the bill entitled "An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein," with instructions to amend by striking out the word "seven" in section 1, and inserting the word "ten" in lieu thereof.

The motion having been withdrawn—

Mr. Grant moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to declare the village of Cuba a separate road district, and to provide for rais-

ing money by tax therein for highways and sidewalks, and compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lapham	J. M. Murphy	Rotch
Colvin	Grant	Manierre	P. P. Murphy	Truman
Connolly	Hammond	Montgomery	Prosser	Warner
Ferry	Ketcham	Munroe	Richmond	Williams
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 226 of the Laws of 1858, entitled 'An act to amend an act to establish regulations for the port of New York, passed April 16, 1857,' passed April 15, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lapham	J. M. Murphy	Rotch
Colvin	Grant	Lawrence	P. P. Murphy	Truman
Connolly	Hammond	McGraw	Prosser	Warner
Ferry	Hillhouse	Montgomery	Richmond	Williams
Fiero	Ketcham	Munroe		

23

FOR THE NEGATIVE.

Manierre

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to authorize the board of supervisors of the county of Lewis to raise two thousand five hundred and fifty dollars upon the taxable property of the town of Lowville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Munroe	Rotch
Blood	Grant	Lapham	P. P. Murphy	Truman
Colvin	Hammond	McGraw	Prosser	Warner
Ferry	Hillhouse	Manierre	Richmond	Williams
Fiero	Kelly	Montgomery	Robertson	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Ferry	Kelly	J. M. Murphy	Rotch	15
Colvin	Hammond	Ketcham	Prosser	Spinola	
Connolly	Hillhouse	Lawrence	Robertson	Truman	

FOR THE NEGATIVE.

Fiero	Lapham	Manierre	P. P. Murphy	Warner	11
Goss	McGraw	Munroe	Richmond	Williams	
Grant					

The bill entitled "An act in relation to division fences," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Colvin	Fiero	Hammond	Robertson	Warner	9
Connolly	Grant	Kelly	Spinola		

FOR THE NEGATIVE.

Blood	Ketcham	McGraw	P. P. Murphy	Truman	14
Goss	Lapham	Manierre	Prosser	Williams	
Hillhouse	Lawrence	Munroe	Richmond		

Mr. Robertson moved to reconsider said vote and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved to take from the table the bill entitled "An act in relation to cases of murder, and of arson in the first degree, occurring previously to the 4th day of May, 1860."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss moved to recommit said bill, with instructions to report a bill repealing the act of 1860, in relation to capital punishment, and also providing for the trial of cases occurring previous to the passage of said act.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Fiero	Goss	McGraw	Manierre	Warner	5
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FOR THE NEGATIVE.

Abell	Grant	Ketcham	P. P. Murphy	Rotch	21
Blood	Hammond	Lapham	Prosser	Spinola	
Colvin	Hillhouse	Montgomery	Ramsey	Truman	
Connolly	Kelly	J. M. Murphy	Richmond	Williams	
Gardiner					

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Munroe	Richmond	20
Blood	Grant	Ketcham	P. P. Murphy	Rotch	
Colvin	Hammond	Lapham	Prosser	Truman	
Connolly	Hillhouse	Montgomery	Ramsey	Williams	

FOR THE NEGATIVE.

Ball	Goss	McGraw	J. M. Murphy	Warner	9
Fiero	Lawrence	Manierre	Spinola		

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Truman moved to take from the table the motion to reconsider the vote on the Assembly bill entitled "An act to amend an act authorizing the formation of town insurance companies," passed April 17, 1857."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

The third reading of the bill entitled "An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief," having been announced—

Mr. Montgomery moved to recommit said bill to the committee on Indian affairs with instructions to amend by inserting the following as an additional section:

"§ 4. The Governor of this State shall appoint a suitable and proper person to act as agent for said Indians, whose duty it shall be to take charge of the moneys hereby appropriated, and to see that the same is properly and economically expended for the purposes intended by this act, whose compensation shall be paid out of said moneys, but in no case shall such agent be entitled to receive more than five hundred dollars for his services. It shall be the duty of such agent to render an account in writing and under oath, to the Governor of this State, on or before the first day of April, 1862, showing the condition of said moneys, and specifying in what manner the same has been expended. Before such agent shall receive any moneys under this act, he shall execute to the people of this State a bond with a penalty of double the amount to be received, with such surety as the Governor shall approve, conditioned for the faithful expenditure and application of the said moneys according to the true intent and meaning of this act."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Montgomery	Rotch
Colvin	Goss	Kelly	J. M. Murphy	Truman
Connolly	Grant	Ketcham	Prosser	Williams
Ferry	Hammond	McGraw		

18

FOR THE NEGATIVE.

Blood	Spinola	
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2

The hour of 12 o'clock having arrived, the Senate went into executive session, and after some time spent therein, the doors were opened, and legislative business resumed.

By unanimous consent, Mr. Gardiner asked and obtained leave to introduce a bill entitled "An act to incorporate the Female Academy of the Visitation, of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The Assembly bill entitled "An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Rotch
Bell	Grant	McGraw	P. P. Murphy	Truman
Blood	Hammond	Montgomery	Prosser	Warner
Connolly	Hillhouse	Wasson	Robertson	Williams
Ferry	Kelly			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The third reading of the bill entitled "An act in relation to the Erie, Oswego, and Cayuga and Seneca canals," having been announced—

On motion of Mr. Prosser and by unanimous consent, said bill was amended by inserting the following:

Strike out all of the third section, after the word "therein" in the 13th line, and insert the following:

"Where the locks are double on the Erie canal, the said parties or their assigns shall not be under obligation to lengthen more than one tier, until the necessities of navigation for the long boats shall require it; when the Canal Board shall so notify the parties or their assigns; whereupon, and not otherwise, the second tier of locks upon said canal, or so many thereof as the Canal Board may deem necessary, shall within two years thereafter be lengthened as aforesaid, by the said parties or their assigns, upon the terms and conditions prescribed by this act; and when so done the same charges may be made for the use thereof as if done in the first instance, and the same may be paid for in like manner as provided in section seven of this act. But the said parties and their assigns shall not be authorized to lengthen or in any manner interfere with either of the weigh locks, or to commence the said improvement and repair upon any of the locks aforesaid, until the materials to complete the same speedily shall be prepared, ready, and on the bank of the canal near where the same is to be used."

Also, the following as an additional section:

"§ 10. This act shall take effect immediately."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	Lawrence	Ramsey	Spinola	
Blood	Hillhouse	J. M. Murphy	Robertson	Truman	
Gardiner	Kelly	P. P. Murphy	Rotch	Warner	
Goss	Lapham	Prosser			18

FOR THE NEGATIVE.

Bell	Connolly	Fiero	McGraw	Montgomery	
Colvin	Ferry	Grant	Manierre		9

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to alter the map or plan of the city of New York,' passed April 17, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Munroe	Robertson	
Colvin	Hammond	Lawrence	J. M. Murphy	Rotch	
Connolly	Hillhouse	McGraw	P. P. Murphy	Spinola	
Fiero	Kelly	Manierre	Prosser	Truman	
Gardiner	Ketcham	Montgomery	Ramsey	Warner	25

FOR THE NEGATIVE.

Grant

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Spicola moved to reconsider the vote on the bill entitled "An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Grant	Ketcham	P. P. Murphy	Rotch
Connolly	Hammond	Lawrence	Prosser	Spicola
Ferry	Hillhouse	Munroe	Richmond	Truman
Gardiner	Kelly	J. M. Murphy,	Robertson	

19

FOR THE NEGATIVE.

Bell	Lapham	Manierre	Warner	Williams
Fiero				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Fiero offered the following resolution :

Resolved, That on and after to-day the Senate will hold afternoon sessions, (except on Saturday,) to commence at 4 o'clock, for the purpose of general orders, only.

Mr. Truman moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Manierre	J. M. Murphy	Truman
Connolly	Kelly	Montgomery	Richmond	Warner
Ferry	Lapham	Munroe	Spicola	Williams
Gardiner	Lawrence			

18

FOR THE NEGATIVE.

Fiero	Ketcham	Prosser	Robertson	Rotch
Goss				

6

Mr. Blood moved to take from the table the motion to reconsider the vote on the bill entitled "An act to incorporate the National Horse Show Association, at Saratoga Springs."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Sessions, by direction of the President, appeared at the bar, to render his excuse for being absent from the Senate at a call thereof on Saturday last, and having rendered the same—

On motion of Mr. Goss, he was excused.

The bill entitled "An act to incorporate the National Horse Show Association, at Saratoga Springs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Fiero	Ketcham	J. M. Murphy	Rotch
Colvin	Gardiner	Lawrence	Prosser	Sessions
Connolly	Grant	Manierre	Ramsey	Spicola
Ferry	Kelly	Munroe	Robertson	

19

FOR THE NEGATIVE.

Bell	Hillhouse	McGraw	Richmond	Warner	
Goss	Lapham	P. P. Murphy	Truman	Williams	
Hammond					11

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment on Monday, being the bills entitled as follows :

"An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858."

"An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons."

"An act to establish a fund for the benefit of the Cayuga nation of Indians residing in this State."

After some time spent therein, the President resumed the chair, and Mr. Goss, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the same committee, reported in favor of the passage of the second named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the same committee, reported progress on the last named bill, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

THURSDAY, MARCH 21, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Lapham presented a petition of inhabitants of Plattsburgh, for a change in the school law of said village, which was read and referred to the committee on literature.

Mr. Ramsey presented a remonstrance of citizens of Schoenectady, against any amendment of the charter of said city, which was read and committed to the committee of the whole.

Mr. Lawrence presented a remonstrance of Harper & Brother, against passage of bill requiring capital stock or premium notes of mutual insurance companies to be surrendered to the makers thereof, which was read and referred to the committee on insurance companies.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates."

"An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned,"

"An act to incorporate the Neversink River plankroad company and to authorize the issuing and holding of certificates of stock therein."

"An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums."

"An act to amend the charter of the Long Island railroad company."

"An act for the relief of E. F. Hoyt for canal damages."

Mr. Montgomery, from the committee on Indian affairs, to which was referred the bill entitled "An act establishing a fund for the benefit of the Stockbridge Indians, and for their relief," with power to report complete, reported the same complete, amended as directed by the Senate, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on medical societies, to which was referred the Assembly bill entitled "An act to incorporate the Bellevue Hospital Medical College of the city of New York, of the State of New York," with power to report complete, reported the same complete, amended as directed by the Senate, which report was agreed to and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the revival of the proceedings heretofore initiated by the board of commissioners of the Central Park, for and in behalf of the mayor and commonalty of the city of New York, pursuant to the provisions of an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act to amend an act entitled 'An act to incorporate the Buffalo Water Works company,' passed March 15, 1849," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to widen Main street, in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to repeal section third of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Female Academy of the Visitation, of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur.) That 10,000 copies of the report and resolutions of the select committee on the subject of prohibiting intoxicating liquors as a beverage, be printed for the use of the House.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received, requesting the concurrence of the Senate to the following concurrent resolution proposing an amendment to the Constitution relative to bribery at elections, to wit:

Resolved, (if the Senate concur,) That section two, of article two of the Constitution of this State, be amended so as to read as follows:

Laws may be passed excluding from the right of suffrage any person or persons who have been, or may be, convicted of bribery, of larceny, or any infamous crime, or who shall be convicted of having received or accepted, or agreed to accept or receive, any money or property, or other valuable thing, as an inducement or consideration of his voting, or whereby he shall be induced to vote in any particular manner, or for any particular candidate or candidates; and for depriving any person who shall make, or become directly or indirectly interested in any bet or wager depending upon the result of any election, from the right to vote at such election; and for making it a subject of challenge at the polls, whether he shall have accepted or received, or agreed to accept or receive, any money, property, or valuable thing, as an inducement or consideration of his voting at said election in any particular way or manner, or whether he has made or is interested in any bet or wager depending upon the result of said election.

Ordered, That said resolution be laid on the table.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to empower Masters Lodge No. 5, of Free and Accepted Masons, in the city of Albany, to hold and convey real and personal estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to provide against unsafe buildings in the city of New York,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

"An act in relation to the Auditor of the Canal Department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to repeal chapter 410 of the Laws of 1860, entitled 'An act in relation to capital punishment, and to provide for the more certain punishment of the crime of murder,' " which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to legalize certain proceedings of the Ripley Fire Insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to incorporate the New York Volunteers' Burial and Monument Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

A message from the Assembly was received, informing that they had re-

fused to reconsider the vote of non-concurrence in the passage of the following entitled bill:

"An act for the relief of the Hammondsport and Pleasant Valley Wine company."

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to provide for draining 'Deer Ridge' or 'Wine Creek' swamp, in the town of Scriba, in the county of Oswego."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment, to wit:

"An act making appropriations for the canal debt and the maintenance of the canals, for the fiscal year commencing on the first day of October, 1861."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. Kelly asked and obtained leave to introduce a bill entitled "An act for the relief of James Savage and Thomas Kane," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Lapham asked and obtained leave to introduce a bill entitled "An act in relation to schools and academies in the village of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Robertson gave notice that he would at an early day ask leave to introduce a bill to incorporate a fencing association.

Also, a bill to authorize the town of Yonkers to raise money by bonds to McAdamize roads in said town.

Also, a bill to amend an act in relation to the judiciary.

Mr. Connolly gave notice that he would at an early day ask leave to introduce a bill in relation to searches of titles to real estate in the offices of county clerks and registers, in this State.

By unanimous consent, Mr. P. P. Murphy asked and obtained leave to introduce a bill entitled "An act to authorize the sale of a school house erected by the State on the Tonawanda Reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

The President presented a communication from Wm. Curtis Noyes, in relation to the erection of a monument commemorative of the Declaration of Independence, which was laid on the table and ordered printed.

(See Doc. No. 57.)

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act in relation to the judiciary," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act authorizing the town of Yonkers to raise money by loan to McAdamize the Albany Post Road from Kings Bridge to Yonkers, and to plank the causeway leading from Kings Bridge to Spuyten Duyvel Bridge,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to enable the supervisors of the county of New York, to acquire and take lands for the building of a court house in said

county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Manierre asked and obtained leave to introduce a bill entitled "An act to amend chapter 466 of the Laws of 1853, for the incorporation of fire insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

The Assembly bill entitled "An act to revive and extend the charter of the New York Mills Fire company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Lapham	P. P. Murphy	Rotch
Ferry	Hillhouse	Lawrence	Prosser	Truman
Fiero	Kelly	Munroe	Ramsey	Warner
Goss	Ketcham	J. M. Murphy	Robertson	Williams
Grant				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Robertson moved to take from the table the motion to reconsider the vote on the bill entitled "An act in relation to division fences."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Mr. Robertson moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Neversink River plankroad company, and to authorize the issuing and holding of certificates of stock therein," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	J. M. Murphy	Sessions
Blood	Grant	Lapham	Prosser	Truman
Connolly	Hammond	Lawrence	Richmond	Warner
Ferry	Hillhouse	Montgomery	Robertson	Williams
Fiero	Kelly	Munroe		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend the charter of the Long Island railroad company," having been announced—

Mr. Lapham moved to recommit said bill to the committee of the whole.

Mr. Lawrence moved to amend by striking out "committee of the whole," and inserting in lieu thereof "railroads."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

The bill entitled "An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Kelly	Manierre	P. P. Murphy	Sessions
Blood	Ketcham	Montgomery	Prosser	Truman
Goss	Lawrence	Munroe	Richmond	Warner
Hammond	McGraw	J. M. Murphy	Rotch	Williams
Hillhouse				

21

FOR THE NEGATIVE.

Fiero

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the Assembly bill entitled "An act in relation to the auditing of accounts by the boards of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess and Niagara, and the duties of certain officers in connection therewith," having been announced—

On motion of Mr. Hammond and by unanimous consent, said bill was amended by including the county of Steuben in the provisions of the bill.

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	P. P. Murphy	Rotch
Connolly	Hammond	McGraw	Prosser	Truman
Ferry	Hillhouse	Montgomery	Ramsey	Warner
Fiero	Kelly	Munroe	Robertson	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

The Assembly bill entitled "An act to provide for the superintendent of the poor of the county of Livingston being keeper of the poor house of said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Prosser	Rotch
Blood	Hammond	McGraw	Ramsey	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Ketcham	Munroe	Robertson	Williams
Fiero	Lapham	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to revise and amend the charter of the city of Utica," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Rotch
Blood	Hammond	McGraw	Prosser	Truman
Connolly	Hillhouse	Manierre	Richmond	Warner
Ferry	Kelly	Montgomery	Robertson	Williams
Fiero	Ketcham	Munroe		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connolly	Ketcham	Manierre	P. P. Murphy	Truman
Ferry	Lapham	Montgomery	Prosser	Warner
Fiero	Lawrence	Munroe	Robertson	Williams
Hillhouse	McGraw	J. M. Murphy	Rotch	

19

FOR THE NEGATIVE.

Goss

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Ferry	Hillhouse	Montgomery	Prosser	Rotch
Fiero	Ketcham	Munroe	Ramsey	Truman
Goss	Lapham	J. M. Murphy	Richmond	Warner
Grant	Lawrence	P. P. Murphy	Robertson	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	J. M. Murphy	Rotch
Colvin	Hammond	Lapham	Ramsey	Warner
Connolly	Hillhouse	McGraw	Robertson	Williams
Fiero	Kelly	Munroe		

18

FOR THE NEGATIVE.

Ferry	Grant	Manierre	Richmond	Truman
Goss	Lawrence	Prosser		

8

Mr. Hammond moved to reconsider said vote.

Pending the question—

The hour of 12 o'clock having arrived, the President announced the special order, being the resolutions reported by the select committee on federal relations.

Mr. Lapham moved to postpone the consideration of said special order indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Richmond	Sessions	
Ferry	Ketcham	Munroe	Rotch	Warner	13
Fiero	Lapham	P. P. Murphy			

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Manierre	Prosser	
Colvin	Grant	McGraw	J. M. Murphy	Truman	13
Connolly	Hillhouse				

The President announced the further special order, being the annual message of his Excellency the Governor.

Mr. Truman moved to postpone said special order until 4th of July.

Mr. Hammond moved to amend by striking out "4th of July," and inserting "one week from to-day."

The President put the question whether the Senate would agree to said motion to postpone until "4th of July," and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to postpone for "one week from to-day," and it was decided in the affirmative.

The Senate then resumed the consideration of the question pending at the hour of 12 o'clock, being the motion to reconsider the vote on the bill entitled "An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Hammond	J. M. Murphy	Rotch	
Ferry	Grant	Manierre	Richmond	Truman	10

FOR THE NEGATIVE.

Bell	Fiero	Ketcham	McGraw	Robertson	
Calvin	Gardiner	Lapham	Munroe	Sessions	
Connolly	Hillhouse	Lawrence	P. P. Murphy	Warner	16

The bill entitled "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	J. M. Murphy	Robertson	
Connolly	Kelly	McGraw	P. P. Murphy	Rotch	
Ferry	Ketcham	Manierre	Prosser	Sessions	
Goss	Lapham	Montgomery	Ramsey	Williams	20

FOR THE NEGATIVE.

Colvin	Fiero	Grant	Richmond	4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	P. P. Murphy	Rotch
Blood	Hammond	McGraw	Prosser	Truman
Connolly	Hillhouse	Manierre	Richmond	Warner
Ferry	Kelly	Montgomery	Robertson	Williams
Fiero	Ketcham	Munroe		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the dividends of fire insurance companies, and to provide for the retention of a sum ample to cover unearned premiums," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connolly	Ketcham	Manierre	P. P. Murphy	Truman
Ferry	Lapham	Montgomery	Prosser	Warner
Fiero	Lawrence	Munroe	Robertson	Williams
Hillhouse	McGraw	J. M. Murphy	Rotch	

19

FOR THE NEGATIVE.

Goss

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Ferry	Hillhouse	Montgomery	Prosser	Rotch
Fiero	Ketcham	Munroe	Ramsey	Truman
Goss	Lapham	J. M. Murphy	Richmond	Warner
Grant	Lawrence	P. P. Murphy	Robertson	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	J. M. Murphy	Rotch
Colvin	Hammond	Lapham	Ramsey	Warner
Connolly	Hillhouse	McGraw	Robertson	Williams
Fiero	Kelly	Munroe		

18

FOR THE NEGATIVE.

Ferry	Grant	Manierre	Richmond	Truman
Goss	Lawrence	Prosser		

8

Mr. Hammond moved to reconsider said vote.

Pending the question—

The hour of 12 o'clock having arrived, the President announced the special order, being the resolutions reported by the select committee on federal relations.

Mr. Lapham moved to postpone the consideration of said special order indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Richmond	Sessions	
Ferry	Ketcham	Munroe	Rotch	Warner	
Fiero	Lapham	P. P. Murphy			13

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Manierre	Prosser	
Colvin	Grant	McGraw	J. M. Murphy	Truman	
Connolly	Hillhouse				13

The President announced the further special order, being the annual message of his Excellency the Governor.

Mr. Truman moved to postpone said special order until 4th of July.

Mr. Hammond moved to amend by striking out "4th of July," and inserting "one week from to-day."

The President put the question whether the Senate would agree to said motion to postpone until "4th of July," and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion to postpone for "one week from to-day," and it was decided in the affirmative.

The Senate then resumed the consideration of the question pending at the hour of 12 o'clock, being the motion to reconsider the vote on the bill entitled "An act to increase the duties and compensation of the physicians respectively at the Auburn and Sing Sing prisons."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	Hammond	J. M. Murphy	Rotch	
Ferry	Grant	Manierre	Richmond	Truman	10

FOR THE NEGATIVE.

Bell	Fiero	Ketcham	McGraw	Robertson	
Colvin	Gardiner	Lapham	Munroe	Sessions	
Connolly	Hillhouse	Lawrence	P. P. Murphy	Warner	16

The bill entitled "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	J. M. Murphy	Robertson	
Connolly	Kelly	McGraw	P. P. Murphy	Rotch	
Ferry	Ketcham	Manierre	Prosser	Sessions	
Goss	Lapham	Montgomery	Ramsey	Williams	20

FOR THE NEGATIVE.

Colvin	Fiero	Grant	Richmond		4
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to facilitate the trial of civil actions in which any of the parties shall be imprisoned," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Montgomery	Robertson
Colvin	Gardiner	Lawrence	Munroe	Rotch
Connolly	Goss	McGraw	J. M. Murphy	Warner
Ferry	Hillhouse	Manierre	Ramsey	Williams

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act establishing a fund for the benefit of the Stock-bridge Indians, and for their relief," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	McGraw	J. M. Murphy	Rotch
Colvin	Goss	Manierre	P. P. Murphy	Sessions
Connolly	Hammond	Montgomery	Ramsey	Warner
Ferry	Kelly			

17

FOR THE NEGATIVE.

Bell	Hillhouse	Lawrence	Richmond	Truman
Fiero	Ketcham	Munroe	Robertson	Williams
Grant	Lapham			

12

When the name of Mr. Robertson was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Hillhouse called for the consideration of the following resolution:

Resolved, (if the Senate concur,) That the 19th joint rule of the Senate and Assembly, be suspended for the purpose of the immediate consideration of the supply bill and annual appropriation bill.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, March 21, 1861. }

TO THE SENATE—I transmit herewith a copy of the joint resolution adopted by Congress, to amend the Constitution of the United States, which I have had the honor to receive from the President.

The amendment proposed is one which will commend itself to the judgment, while it conforms to the sentiments of the people of this State, who on all occasions, have avowed the doctrine of the right of the States, respectively, to control their domestic institutions in such manner as they may judge to be most conducive to their prosperity and happiness.

While New York is unalterably opposed to the institution of slavery within her own borders, and is unwilling to submit to any external interference with her internal policy, she is unqualifiedly in favor of extending any proper constitutional guaranty, desired by her sister States, against the exercise of any power to interfere with or abolish the domestic institutions therein.

An amendment to the Constitution, such as that now proposed would be accepted by the Border States as an earnest of the good faith of the Nor-

thern States to preserve to them for all time their conceded rights. I would therefore respectfully and earnestly recommend the adoption of the resolution herewith communicated.

E. D. MORGAN.

Public 7—Resolution.

Thirty-sixth Congress of the United States, at the second session, begun and held at the city of Washington, in the District of Columbia, on Monday the 3d day of December, 1860.

Joint resolution to amend the Constitution of the United States :

Resolved, (by the Senate and House of Representatives of the United States of America, in Congress assembled,) That the following article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures shall be valid to all intents and purposes, as a part of the said Constitution.

Article 13. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

WM. PENNINGTON,

Speaker of the House of Representatives.

JOHN C. BRECKENRIDGE,

Vice-President of the United States, and President of the Senate.

Approved March 2, 1861.

JAMES BUCHANAN.

Said communication and resolution were referred to the select committee on federal relations.

A further message was received and read, from his Excellency the Governor, in the words following, to wit :

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, March 20, 1861. }

TO THE SENATE—I transmit herewith a copy of certain joint resolutions of the Legislature of Wisconsin, expressing the confidence of the people of that State in the present federal administration.

E. D. MORGAN.

State of Wisconsin.

Joint resolutions No. 28, relating to the new administration just inaugurated :

Whereas, A new administration of the government has been inaugurated under circumstances of peculiar embarrassment ; with a dissatisfied people in one portion of the Union, seeming to hate the Union itself ; and whereas, the peace and prosperity of the Union depend upon its perpetuity, and its perpetuity depends upon the firmness and integrity of the administration of the government, sustained by a law-abiding, loyal and union loving people ; and whereas, the inaugural address of President Lincoln, gives abundant evidence that he possesses that ability and firmness that will restore peace and prosperity to our beloved Union, by a strict adherence to all the requirements of the Constitution and the Laws, showing favor to no one section of the Union over another ; therefore,

Resolved, (by the Assembly, the Senate concurring,) That in the inaugural address of Abraham Lincoln, we recognize the words of a true patriot and the sagacious statesman, and that we hail it as an omen that the government of this country is to be restored to its original purity, as founded by the father of his country, assisted by his compatriots of revolutionary memory.

Resolved, That in the language of the inaugural, "Though passion may have strained, it must not break our bonds of affection; the mystic chords of memory, stretching from every battle field and patriot grave, to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."

Resolved, That we pledge the faith of the people of Wisconsin to aid the President of the United States, in carrying out the principles indicated in his inaugural address to the fullest extent, putting into the scale, if need be "our lives, our fortunes, and our sacred honor."

Resolved, That the Governor be requested to forward copies of the foregoing preamble and resolutions to the President of the United States, to the Governor of each State in the Union, and to each of our Senators and Representatives in Congress.

AMASA COBB,

Speaker of the Assembly.

BUTLER G. NOBLE,

Lieutenant Governor and President of the Senate.

Approved March 12, 1861.

ALEXANDER W. RANDALL.

STATE OF WISCONSIN, *Secretary's Office*, ss:

The Secretary of State, of the State of Wisconsin, hereby certifies that the foregoing joint resolutions have been compared with the original enrolled resolutions deposited in this office, and that the same is a true copy thereof, and of the whole of such original.

In witness whereof I have hereunto set my hand and affixed the great [L. s.] seal of the State, at the capitol in Madison, this 12th day of March, A. D. 1861.

LOUIS P. HARVEY.

Secretary of State.

Said communication and resolutions were referred to the select committee on federal relations.

A further message was received and read, from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, March 20, 1861. }

TO THE SENATE—I submit herewith a copy of the joint resolution adopted on the 11th, by the General Assembly of Indiana, requesting Congress to call a Convention to amend the Constitution of the United States.

E. D. MORGAN.

A joint resolution requesting Congress to call a Convention to amend the Constitution of the United States:

Be it resolved, (by the General Assembly of the State of Indiana,) That while we regard the Constitution of the United States, if properly interpreted and duly enforced, as amply sufficient to secure the just rights of the people of all the States of the Union; still as dissatisfaction and misunderstandings have arisen respecting the proper interpretation of that instrument, the Congress of the United States is hereby requested to call a Convention of the several States, in accordance with the 5th article of the Constitution thereof, to take into consideration the propriety of amending the same, so that its meaning may be definitely understood in all sections of the Union.

Said communication and resolutions were referred to the select committee on federal relations.

Mr. Colvin offered the following resolution :

Resolved, (if the Assembly concur,) That the judiciary committee of the Senate and Assembly, be directed to examine and inquire into the condition of the Law Library of the State, contained in the State Library in the city of Albany, and to report upon the necessity of legislative action to preserve the same from destruction.

Ordered, That said resolution be laid on the table.

Mr. Fiero offered the following resolution :

Resolved, That after this evening the Senate will hold evening sessions, (except on Saturday evening,) to commence at 7½ o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment yesterday.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

FRIDAY, MARCH 22, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Rogers.

The journal of yesterday was read and approved.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act establishing a fund for the Stockbridge Indians, and for their relief."

Mr. J. M. Murphy presented a remonstrance of Wm. H. Rose and others, against the passage of an act in relation to the Third avenue and Fordham railroad, which was read and referred to the committee on railroads.

Mr. Colvin presented two remonstrances of citizens of Washington co., against allowing railroads to abandon the whole or any portion of their road, which were read and referred to the committee on railroads.

Mr. Richmond presented a petition of trustees of Troy University, for aid to said institution, which was read and referred to the committee on literature.

Mr. Ferry, from the select committee of eight, reported the following entitled bills as proper to be taken from the general orders and recommitted to the several committees reporting them, with power to report complete, to wit :

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1858,' and the several acts amendatory thereof."

Assembly bill, "An act to repeal section 8, of chapter 178, of an act entitled 'An act in relation to highways, in the counties of Hamilton, Herkimer and Fulton, passed April 1843,' so far as it relates to the county of Fulton."

Assembly bill, "An act to amend the charter of the Great Western Insurance company."

Assembly bill, "An act in relation to the capital stock of the Elmira Umbrella Frame Manufacturing company."

Assembly bill, "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county to appoint an assistant,' passed April 14, 1857."

Assembly bill, "An act to incorporate the Mazeppa Fire Engine company, number two, of Nyack, Orangetown, Rockland county, State of New York."

Assembly bill, "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Buffalo Water Works company,' passed March 15, 1849."

"An act to incorporate the American Church Missionary society."

"An act in relation to the abatement of nuisances in the city of Troy."

"An act to authorize the water commissioners of the village of Watertown to borrow money."

"An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua."

"An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1857."

"An act to confirm the election of John B. Kimball as a justice of the peace in and for the town of Brownville, in the county of Jefferson."

"An act to prevent the adulteration of milk, and to stop the traffic in swill milk."

"An act to amend section 8, article 2, title 5, chapter 1 of part 4 of the Revised Statutes, concerning 'unlawful marriages and incest.'"

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Bell, from the committee on manufactures, to which was referred the Assembly bill entitled "An act in relation to the capital stock of the Elmira Umbrella Frame Manufacturing company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Richmond, from the committee on railroads, to which was referred the bill entitled "An act to amend the charter of the Long Island railroad company," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to amend the charter of the Great Western Insurance company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the petition of Nathaniel Beeman and other citizens of Cortland county, for an act relative to the draining of certain lands in said county, reported by bill entitled "An act in relation to the draining of certain lands in the county of Cortland," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof," with power to report complete, reported the same complete,

which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the water commissioners of the village of Watertown to borrow money," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1857," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act in relation to the abatement of nuisances in the city of Troy," with power to report complete, reported the same complete, which report was agreed to and said bill ordered engrossed for a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the Mazeppa Fire Engine company, number two, of Nyack, Orangetown, Rockland county, State of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act to incorporate the Buffalo Water Works company,' passed March 15, 1849," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend chapter 275 of the Laws of 1850, entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. J. M. Murphy moved that the committee on charitable and religious societies be discharged from the further consideration of the bill entitled "An act to aid the Woman's Hospital of the city of New York," and that the same be referred to the committee on finance.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate the American Church Missionary society," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to repeal section 8, of chapter 178, of an act entitled 'An act in relation to highways, in the counties of Hamilton, Herkimer and Fulton, passed April 18, 1843,' so far as it relates to the county of Fulton," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to confirm the election of John B. Kimball as a justice of the peace, in and for the town of Brownville, in the county of Jef-

ferson," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 8, article 2, title 5, chapter 1 of part 4 of the Revised Statutes, concerning unlawful marriages and incest," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county to appoint an assistant,' passed April 14, 1857," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to constitute the village of Hannibal, in the county of Oswego, a separate road district."

"An act for the relief of Maria Murphy and Ann Kerrigan."

"An act relating to the Lutheran cemetery, in the town and county of Schoharie, belonging to the corporation of St. Paul's Lutheran church, in said town."

"An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money."

"An act granting certain privileges to the South Side railroad company of Long Island."

"An act to enable the commissioners of highways of the town of Ellieott, in the county of Chautauqua, to ascertain the boundaries of the highways in said town and to make a record of the same."

"An act making the territory comprised within the boundaries of the city of Poughkeepsie the jail liberties of the county of Dutchess."

"An act to amend an act entitled 'An act to amend an act entitled 'An act for the regulation and government of the Central Park in the city of New York, passed April 17, 1857,' and further to provide for the maintenance and government of said park, passed April 15, 1859,' and further to provide for the construction, maintenance and government of the said park."

"An act to amend an act entitled 'An act to incorporate the Queens county Savings bank,' passed April 14, 1859."

"An act to incorporate the Veteran Scott Life Guard."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to legalize certain acts and ordinances of the mayor, aldermen,

and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the Revised Statutes in relation to property exempt from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Hannah Russell," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the Chautauqua Central Plankroad company to sell and convey their road," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the preservation of game in the counties of Suffolk and Queens, Long Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to extend the charter of the Schuylerville Bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the construction of a stone arch bridge over the State ditch, in the town of Lysander, at Jack's Reefs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to authorize the trustees of Gorham Cemetery to include in their original plot of ground, the old burying ground lying adjacent thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act for the relief of Mason A. Burdick," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway and through certain other streets in the city of Brooklyn, and New Lots in the county of Kings, passed April 17, 1858,' and also an act amendatory thereof, passed April 16, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the militia and public defence.

"An act for the relief of Albert H. King," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to amend and consolidate the several acts relating to the village of Palmyra," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act for the relief of the Union Free school of district No. 9, in the town of Lenox," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend the charter of the Knickerbocker Life Insurance company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to revise, amend, and consolidate the several acts relating to the village of Sag Harbor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

"An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend and consolidate the several acts in relation to the village of Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to a general index of the records in the office of the surrogate of Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as they relate to the village of Corning, in the county of Steuben," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to consolidate and amend the several acts relating to the transmission to the office of Secretary of State, by clerks of courts and sheriffs, of records of conviction, and certain other statistical information, as now required by law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the better regulation of a road in Bethlehem, Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds therefor,' " which was read the first time, and by unanimous consent was also read the second time.

Mr. Lapham moved to refer said bill to the committee on incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Manierre moved to add to said committee the Senators from the city and county of New York.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Geddes, in the county of Onondaga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein,' passed April 15, 1858, chapter, 249, and to increase the powers of the commissioners appointed therein," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out the first section, and insert the following in lieu thereof:

"Sec. 1. The commissioners appointed, and acting by virtue of 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of roads therein, passed April 15, 1858, chapter 249 of the Laws of 1858,' may in their discretion borrow the sum of two thousand dollars."

Mr. Blood moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Montgomery	Sessions
Blood	Hammond	Lawrence	Munroe	Spinola
Colvin	Hillhouse	McGraw	P. P. Murphy	Warner
Ferry	Ketchum	Manierre	Richmond	Williams
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859,'" reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act in relation to the Auditor of the Canal Department," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to amend the Statutes in relation to public instruction, and to amend the act to provide for a more thorough supervision and inspection of common schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of the Union Free School, of district No. 9, in the town of Lenox," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Williams, from the committee on insurance companies, to which was referred the bill entitled "An act in relation to Inland Navigation Insurance companies," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

By unanimous consent, Mr. Bell asked and obtained leave to introduce a bill entitled "An act amendatory to an act in relation to the assessment of highway labor on lands belonging to non-residents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The Assembly bill entitled "An act to incorporate the Bellevue Hospital Medical College of the city of New York, of the State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Montgomery	Robertson	Truman
Fiero	Hillhouse	Munroe	Sessions	Warner
Goss	Ketcham	Ramsey	Spinola	Williams
Grant	Manierre			

17

FOR THE NEGATIVE.

Blood	Ferry	Lawrence	J. M. Murphy	Richmond
Colvin	Lapham	McGraw	Prosser	

9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing and providing for the transfer of certain actions and proceedings from the city court of Brooklyn to the Supreme Court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	McGraw	J. M. Murphy	Spinola
Blood	Hillhouse	Manierre	Prosser	Truman
Ferry	Lapham	Montgomery	Richmond	Warner
Fiero	Lawrence	Munroe	Robertson	Williams
Goss				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1857," having been announced—

Mr. Lawrence moved to recommit, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Spinola moved to recommit, with instructions to amend by adding at the end of section one, the following words: "except for the appointment of officers."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Colvin	Grant	Lawrence	J. M. Murphy
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5

FOR THE NEGATIVE.

Bell	Hammond	Manierre	Prosser	Truman
Ferry	Hillhouse	Montgomery	Richmond	Warner
Fiero	Lapham	Munroe	Sessions	Williams
Goss	McGraw	P. P. Murphy		

18

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Manierre	Prosser	Sessions
Ferry	Ketcham	Montgomery	Richmond	Truman
Fiero	Lapham	Munroe	Robertson	Warner
Goss	McGraw	P. P. Murphy	Rotch	Williams
Hammond				

21

FOR THE NEGATIVE.

Colvin	Grant	Lawrence	J. M. Murphy	Spinola
Connolly				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. J. M. Murphy offered the following resolution :

Whereas, The Commissioners of the Metropolitan Police have made no response to the resolutions of inquiry passed March 7, 1861 ; therefore,

Resolved, That the committee consisting of the Senators from the Metropolitan Police district, charged with the investigation of unlawful arrests and detentions, have power to send for persons and papers, in reference to the matters of inquiry demanded by the resolutions of March 7, 1861.

Mr. Williams moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Robertson	Truman
Ferry	Ketcham	Munroe	Rotch	Warner
Fiero	Lapham	P. P. Murphy	Sessions	Williams
Goss	McGraw	Prosser		

18

FOR THE NEGATIVE.

Blood	Gardiner	Hammond	Lawrence	J. M. Murphy
Colvin	Grant	Kelly	Manierre	Spinola
Connolly				

11

Mr. J. M. Murphy offered the following resolution :

Whereas, The Commissioners of the Metropolitan Police have made no response to the resolutions of inquiry passed March 7, 1861 ; therefore,

Resolved, That the Commissioners of Metropolitan Police be adjudged guilty of contempt, and be arraigned before the bar of the Senate.

Mr. Fiero moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Prosser	Sessions
Ferry	Hillhouse	Montgomery	Richmond	Warner
Fiero	Ketcham	Munroe	Robertson	Williams
Goss	Lapham	P. P. Murphy		

18

FOR THE NEGATIVE.

Blood	Connolly	Grant	Lawrence	J. M. Murphy
Colvin	Gardiner	Kelly	Manierre	Spinola

10

Mr. Prosser moved that the Assembly bills entitled as follows, be referred to the second committee of the whole, to wit :

"An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canal."

"An act to provide the means to pay the interest on the debt created under section 8 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861."

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

On motion of Mr. Hillhouse,

Resolved, That the annual appropriation bill be made the special order for Tuesday next at 12 M., and for every day thereafter at the same hour until disposed of.

Mr. J. M. Murphy moved that the bill entitled "An act to establish a nautical school in the harbor of the city of New York," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Goss moved that the bill entitled "An act for the relief of Francis M. McFarlin," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Colvin called for the consideration of the following resolution :

Resolved, (if the Assembly concur,) That the judiciary committee of the Senate and Assembly, be directed to examine and inquire into the condition of the Law Library of the State, contained in the State Library in the city of Albany, and to report upon the necessity of legislative action to preserve the same from destruction.

Mr. Colvin moved to amend, as follows:

Strike out at the end of the resolution, the words "to preserve the same from destruction," and insert in lieu thereof "with respect thereto."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment yesterday, being the bills entitled as follows :

"An act for the relief of E. F. Hoyt, for canal damages."

"An act making an appropriation in aid of the New York State Agricultural College."

Assembly bill, "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854."

After some time spent therein, the President resumed the chair, and Mr. Robertson, from said committee, reported in favor of the passage of the first named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Robertson, from the same committee, reported progress on the two last named bills, and asked and obtained leave to sit again.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

SATURDAY, MARCH 23, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following entitled bills as proper to be taken from the general orders and recommitted to the several committees reporting them, with power to report complete, to wit:

"An act to authorize the revival of the proceedings heretofore initiated by the board of commissioners of the Central Park, for and in behalf of the mayor, aldermen and commonalty of the city of New York, pursuant to the provisions of an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859."

"An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861."

"An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 18, 1855."

"An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 18, 1784."

"An act to amend chapter 628 of Laws of 1857, in relation to the sale of intoxicating liquors."

"An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said county."

Also, the following Assembly bills:

"An act to authorize Courts of Sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such court."

"An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."

"An act further to amend an act to facilitate the forming of agricultural and horticultural societies, passed April 13, 1855."

"An act for the relief of the Union Free School of district No. 9, in the town of Lenox."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Bell presented a petition of Hiram McCollum and twenty-five other citizens of Carthage, Jefferson county, for a law reducing the fees of lawyers, which was read and referred to the committee on the judiciary.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the American Church Missionary society."

"An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua."

"An act to authorize the water commissioners of the village of Watertown to borrow money."

"An act in relation to the abatement of nuisances in the city of Troy."

"An act to amend section 8, article 2, title 5, chapter 1 of part 4 of the Revised Statutes, concerning unlawful marriages and incest."

"An act to amend an act entitled 'An act to revise the charter of the city of Syracuse,' passed March 3, 1857."

"An act to amend the charter of the Long Island railroad company."

"An act in relation to Inland Navigation Insurance companies."

Mr. Warner, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the construction of a railroad through certain streets in the city of Syracuse, and town of Geddes, in the county of Onondaga," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts relating to the village of Palmyra," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts in relation to the village of Kingston," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof, so far as they relate to the village of Corning, in the county of Steuben,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to authorize the revival of the proceedings heretofore initiated by the board of commissioners of the Central Park, for and in behalf of the mayor, aldermen and commonalty of the city of New York, pursuant to an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 13, 1784," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Truman, from the committee on claims, to which was referred the

Assembly bill entitled "An act for the relief of Mason A. Burdick," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act further to amend an act to facilitate the forming of agricultural and horticultural societies, passed April 18, 1885," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend chapter 628 of the Laws of 1857, in relation to the sale of intoxicating liquors," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1861," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to legalize certain proceedings of the Ripley Fire Insurance company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to authorize Courts of Sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such courts," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of James Savage and Thomas Kane," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Manierre moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to widen Main street, in the city of Brooklyn," and that the same be recommitted to the committee on incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the construction of a bridge over the State ditch, in the town of Lyander, at Jack's Reef," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the report of the Commissioners appointed by the Legislature to meet Commissioners from other States, in the city of Washington, on the 4th of February, in response to the invitation of the State of Virginia, which was laid on the table and ordered printed.

(See Doc. No. 59.)

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to authorize the Genesee County bank to reduce its capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act in relation to preferred causes in the Supreme Court and Court of Appeals,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act authorizing the construction of a bridge over the Sing Sing Kill, in the village of Sing Sing, and the raising of money for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, in the several corporations and persons therein named, and for other purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for raising money by tax for that purpose upon the town of Adams, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act relating to boards of health in the county of Columbia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act giving the consent of the State of New York to the purchase by the United States, of land in the city of New York for the purpose of a post office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend section 1, of chapter 400 of Laws of 1850, entitled 'An act for the relief of Lewis Benedict, for canal damages,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to incorporate the village of Richfield Springs, in the county of Otsego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act making appropriations for certain expenses of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the supervisor of the town of Hempstead, in the

county of Queens, to convey certain lands to William H. Dannat," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the Revised Statutes in relation to trials by jury," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit :

"An act to incorporate the University of Brooklyn."

"An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the county of Westchester,' passed April 16, 1860."

"An act to amend the act entitled 'An act to incorporate the village of Jordan, passed May 2, 1835,' and the acts amendatory thereof."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills :

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, in the year 1861," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills :

"An act in relation to the auditing of accounts by the board of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess, Steuben and Niagara, and the duties of certain officers in connection therewith."

"An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857."

Ordered, That the Clerk return said bills to the Assembly.

By unanimous consent, Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act for the relief of the Union Free School of district No. 9, in the town of Lenox," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The Assembly bill entitled "An act in relation to the capital stock of the Elmira Umbrella Frame Manufacturing company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Manierre	P. P. Murphy	Sessions
Blood	Kelly	Montgomery	Prosser	Truman
Ferry	Lapham	Munroe	Robertson	Williams
Hammond	McGraw			

FOR THE NEGATIVE.

Colvin

1.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Maseppa Fire Engine company, No. 2, of Nyack, Orangetown, Rockland county, State of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Montgomery	Sessions	
Blood	Grant	Lapham	Munroe	Truman	
Colvin	Hammond	McGraw	Prosser	Warner	
Ferry	Kelly	Manierre	Robertson	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to authorize the water commissioners of the village of Watertown to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	J. M. Murphy	Sessions	
Blood	Hammond	McGraw	P. P. Murphy	Truman	
Colvin	Hillhouse	Manierre	Prosser	Warner	
Ferry	Kelly	Montgomery	Robertson	Williams	
Goss	Ketcham	Munroe			20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Ketcham	Munroe	Robertson	
Blood	Hammond	McGraw	J. M. Murphy	Sessions	
Colvin	Hillhouse	Manierre	P. P. Murphy	Truman	
Ferry	Kelly	Montgomery	Prosser	Warner	
Goss					21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to Inland Navigation Insurance companies," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Ketcham	Munroe	Richmond	Truman	
Ferry	McGraw	P. P. Murphy	Sessions	Warner	
Hammond	Manierre	Prosser	Spindola	Williams	
Hillhouse	Montgomery				17

FOR THE NEGATIVE.

Blood	Goss	Kelly	J. M. Murphy	Robertson	8
Colvin	Grant	Lapham			

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to incorporate the Buffalo Water Works company,' passed March 15, 1849," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Montgomery	Sessions	
Blood	Grant	Lapham	Munroe	Truman	
Colvin	Hammond	McGraw	P. P. Murphy	Warner	
Ferry	Hillhouse	Manierre	Prosser	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to repeal section 8, of chapter 178, of an act entitled 'An act in relation to highways, in the counties of Hamilton, Herkimer and Fulton, passed April 18, 1843,' so far as it relates to the county of Fulton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Lapham	Munroe	Sessions	
Blood	Hillhouse	McGraw	J. M. Murphy	Truman	
Ferry	Kelly	Manierre	P. P. Murphy	Warner	
Goss	Ketcham	Montgomery	Prosser		19

FOR THE NEGATIVE.

Colvin	Grant				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act to incorporate the American Church Missionary Society," having been announced—

Mr. Prosser moved to recommit, with instructions to amend by striking out the following from section two, "but its annual income from real estate at any one time held, shall not exceed the sum of thirty thousand dollars," and insert in lieu thereof as follows : "but this society shall not hold at any time real estate to a greater value than six hundred thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Grant	Hammond	Lawrence	Prosser	Truman	5
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FOR THE NEGATIVE.

Bell	Fiero	Ketcham	Montgomery	Richmond	
Blood	Gardner	McGraw	Munroe	Robertson	
Colvin	Goss	Manierre	Ramsay	Sessions	
Ferry	Hillhouse				17

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Montgomery	Robertson
Blood	Gardiner	Lawrence	Munroe	Sessions
Colvin	Goss	McGraw	Prosser	Spinola
Ferry	Hillhouse	Manierre	Ramsey	Truman

20

FOR THE NEGATIVE.

Grant	Lapham
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2

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the Great Western Insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Manierre	Prosser	Sessions
Connolly	Hillhouse	Montgomery	Ramsey	Spinola
Ferry	Ketcham	Munroe	Richmond	Truman
Fiero	Lapham	J. M. Murphy	Robertson	Williams
Goss				

21

FOR THE NEGATIVE.

Colvin	Grant
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to confirm the election of John B. Kimball as a justice of the peace in and for the town of Brownville, in the county of Jefferson."

Mr. Spinola moved to take from the table the bill entitled "An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	J. M. Murphy	Robertson
Blood	Hammond	Lawrence	Prosser	Sessions
Colvin	Hillhouse	McGraw	Ramsey	Spinola
Connolly	Kelly	Manierre	Richmond	Truman
Gardiner	Ketcham			

22

FOR THE NEGATIVE.

Fiero	Montgomery	Munroe	P. P. Murphy	Williams
Goss				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to confirm the election of John B. Kimball as a justice of the peace in and for the town of Brownville, in the county of Jefferson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	J. M. Murphy	Robertson
Colvin	Hammond	Manierre	P. P. Murphy	Sessions
Connolly	Kelly	Montgomery	Prosser	Truman
Fiero	Lapham	Munroe	Ramsey	Warner

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county, to appoint an assistant,' passed April 14, 1857," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	J. M. Murphy	Robertson
Colvin	Hammond	McGraw	Prosser	Sessions
Connolly	Ketcham	Manierre	Ramsey	Truman
Fiero	Lapham	Munroe	Richmond	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of E. F. Hoyt, for canal damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lawrence	J. M. Murphy	Richmond
Connolly	Hillhouse	McGraw	P. P. Murphy	Sessions
Fiero	Kelly	Manierre	Prosser	Truman
Goss	Lapham	Munroe	Ramsey	Williams

20

FOR THE NEGATIVE.

Grant

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	Munroe	Robertson
Colvin	Hammond	Lawrence	J. M. Murphy	Sessions
Connolly	Hillhouse	McGraw	P. P. Murphy	Truman
Fiero	Kelly	Manierre	Prosser	Williams
Goss	Ketcham	Montgomery	Richmond	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend the charter of the Long Island railroad company," having been announced—

Mr. Grant moved to recommit said bill to the committee of the whole.

Mr. Spinola moved to amend by adding "and that the Senate now go into committee of the whole on said bill."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Grant, as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until Monday morning at 10 o'clock.

MONDAY, MARCH 25, 1861.

The Senate met pursuant to adjournment.

In the absence of the Lieut. Governor, the Senate was called to order by the Clerk.

Mr. Hammond offered the following resolution:

Resolved, That Hon. E. S. Prosser be chosen President *pro tem.* for this day.

Mr. Spinola moved to amend by striking out the words "for this day," and inserting the words "until the Lieut. Governor or President *pro tem.* returns."

The Clerk put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Connolly	Fiero	Spinola	3
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FOR THE NEGATIVE.

Bell	Ferry	Hammond	McGraw	Ramsey	10
Colvin	Goss	Ketcham	Montgomery	Truman	

No quorum being present—

Mr. Spinola moved that the Senate do now adjourn.

Mr. Goss raised the point of order, that by the Constitution, in the absence of the President, it was the first duty of the Senate to appoint a President *pro tem.*, and that the Senate could neither take a recess nor adjourn until that was done.

The Clerk decided the point of order well taken.

The Clerk then put the question whether the Senate would agree to the adoption of said resolution, of Mr. Hammond, and it was decided in the affirmative.

Prayer by Rev. Dr. Rogers.

The journal of Saturday was read and approved.

Mr. Bell presented a petition of Hon. Joseph G. Miller and 150 others, citizens of Jefferson county, for a law to prohibit the use of gill, trap or box nets in the St. Lawrence river, in said county, between the 1st day of January and August, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Spinola presented a petition of J. W. Taylor and others, for change of excise law, which was read and referred to the committee of the whole.

Mr. Colvin presented a remonstrance of citizens of Albany, against allow-

ing railroads to abandon the whole or any portion of their roads, which was read and referred to the committee on railroads.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act relating to boards of health in the county of Columbia," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the supervisor of the town of Hempstead, in the county of Queens, to convey certain lands to William H. Dannat," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the trustees of Gorham cemetery to include in their original plot of ground the old burying ground lying adjacent thereto," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the trustees of the village of Olean to open Hamilton street, in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act further to amend an act entitled 'An act to incorporate the village of Kinderhook,' passed April 18, 1838," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to the construction of cross and side walks in the village of Forestville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act authorizing the reconveyance of lots in the Forest Lawn cemetery, of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to incorporate The Children's Home Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the supervisor of the town of Aurora, in the county of Erie, to borrow the sum of three thousand dollars, for the purpose of building bridges in said town," which was read the first time, and by un-

nimous consent was also read the second time, and referred to the committee on roads and bridges.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, *te wit* :

"An act to authorize the common council of the city of Hudson to assess the balance of moneys uncollected for the construction of a sewer in said city."

"An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850,' and an act amendatory thereto, passed April 14, 1859."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act in relation to Division avenue, at East New York, in the town of New Lots, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of fortifications and their appurtenances, within this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Spinola asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to provide against mutilation of the records in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bell called for the consideration of the following resolution, from the Assembly, to wit :

Resolved, (if the Senate concur,) That 10,000 copies of the report and resolutions of the select committee on the subject of prohibiting intoxicating liquors as a beverage, be printed for the use of the House.

Mr. Bell moved to amend by striking out "committee" and inserting "committees," and inserting after the word "committees" the words "of the Senate and Assembly;" also, strike out word "House" and insert in lieu thereof the word "Legislature."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Ketcham,

Resolved, That Senate bill No. 214, entitled "An act to regulate the rate of milk freight on the New York and Harlem railroad," be made a special order for Wednesday next, at 11 A. M.

Mr. Goss moved that the bill entitled "An act to amend section 1, chapter 506, of the Laws of 1851," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Truman moved that the Assembly bill entitled "An act for the relief of Mason A. Burdick," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Bell moved that the bill entitled "An act to revive and extend 'An act respecting the appropriation of the waters of the Black river for the use of the Black river canal and Erie canal feeder,' passed April 3, 1857," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Williams offered the following resolution:

Resolved, That Hon. Wm. H. Ferry, be chosen President *pro tem.* for the balance of the session.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Ketcham	Montgomery	Truman
Colvin	Hillhouse	McGraw	Prosser	Williams
Goss				

11

FOR THE NEGATIVE.

Connolly	Fiero	Gardiner	Ramsey	Spinola
Ferry				

6

On motion of Mr. Fiero—

Resolved, That a committee of two be appointed to wait on the Assembly, and inform that body of the election of Hon. Wm. H. Ferry as President *pro tem.*

The President appointed Messrs. Fiero and Connolly, as such committee.

Mr. Colvin, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the transmission to the office of Secretary of State by clerks of courts, and sheriffs, of records of convictions, and certain other statistical information, as now required by law," reported in favor of the passage of the same.

Mr. Colvin moved that said bill be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Connolly moved that the bill entitled "An act to incorporate the Metropolitan Cab company," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Spinola moved that the committee on railroads, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway and through certain other streets in the city of Brooklyn, and New Lots in the county of Kings, passed April 17, 1858,' and also an act amendatory thereof, passed April 16, 1860," have power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment on Saturday, being the bill entitled as follows:

"An act to amend the charter of the Long Island railroad company."

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Williams presented a communication of the Commissioners of the Metropolitan Police, of the city of New York, in reply to a resolution of the Senate, March 7th, calling for information in relation to members of the police who have been employed in other States, which was laid on the table and ordered printed.

(See Doc. No. 58.)

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, pending at the hour of adjournment on Friday last, being the Assembly bills entitled as follows:

"An act authorizing the trustees of the village of Hornellsville to permit the erection of gas works, and laying pipes for the same in said village."

"An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canals."

"An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861."

After some time spent therein, the President resumed the chair, and Mr. Gardiner, from said committee, reported in favor of the passage of said bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the Assembly bills entitled as follows:

"An act to revive and extend 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal and Erie canal feeder,' passed April 3, 1857."

"An act for the relief of Mason A. Burdick."

"An act for the relief of Francis M. McFarlin."

After some time spent therein, the President resumed the chair, and Mr. Colvin, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Colvin, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Fiero, from the committee appointed to wait upon the Assembly and inform that body of the election of Hon. Wm. H. Ferry as President *pro tem.* for the balance of the session, reported that they had discharged that duty.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

"An act for the relief of the Madison University."

"An act to incorporate the Metropolitan Cab company."

"An act to amend section 1, chapter 506 of the Laws of 1851."

After some time spent therein, the President resumed the chair, and Mr. Richmond, from said committee, reported progress on the two first named bills, and asked and obtained leave to sit again.

Mr. Richmond, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Gardiner offered the following resolution:

Resolved, That the Assembly bill entitled "An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to authorize the revival of the proceedings heretofore initiated by the board of commissioners of the Central Park, for and in behalf of the mayor, aldermen and commonalty of the city of New York, pursuant to the provisions of an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859."

"An act to amend chapter 628 of Laws of 1857, in relation to the sale of intoxicating liquors."

"An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861."

"An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855."

"An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 13, 1854."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1858,' and the several acts amendatory thereof."

Mr. Connolly offered the following resolution:

Resolved, That the bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York," be referred to the first committee of the whole.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The President presented the report of the minority of the Commissioners appointed by the Legislature of New York to meet commissioners from other States at Washington, on the invitation of the State of Virginia, which was laid on the table and ordered printed.

(See Doc. No. 60.)

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the Assembly bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859.'"

"An act to consolidate and amend the several acts relating to the trans-

mission to the office of Secretary of State, by clerks of courts and sheriffs, of records of conviction, and certain other statistical information, as now required by law."

"An act to provide for the payment of interest on certain canal drafts, certificates and awards."

"An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York."

After some time spent therein, the President resumed the chair, and Mr. Ramsey, from said committee, reported in favor of the passage of the two first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Ramsey, from the same committee, reported progress on the third named bill, and asked and obtained leave to sit again.

Mr. Ramsey, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

The bill entitled "An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Prosser	Spinola
Colvin	Gardiner	Ketcham	Ramsey	Truman
Connolly	Goss	McGraw	Richmond	Williams
Ferry	Hammond	Montgomery	Sessions	
				19

FOR THE NEGATIVE.

Lapham	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

TUESDAY, MARCH 26, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Sprague.

The journal of yesterday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following entitled bills as proper to be taken from the general orders and recommitteed to the several committees reporting them, with power to report complete, to wit:

Assembly bills.

"An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute."

"An act to amend and consolidate the several acts in relation to the charter of the city of Rochester."

"An act to authorize the trustees of Gorham cemetery to include in their original plot of ground, the old burying-ground lying adjacent thereto."

"An act relating to the boards of health in the county of Columbia."

"An act to amend and consolidate the several acts relating to the village of Palmyra."

"An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer."

"An act to legalize certain proceedings of the Ripley Fire Insurance company."

Senate bills.

"An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof."

"An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county."

"An act to incorporate the Female Academy of the Visitation, of Brooklyn."

"An act to lay out and establish a parade ground in the county of Kings."

"An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1858."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to provide against mutilation of the records in the city of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend the Revised Statutes in relation to trial by jury," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, in the several corporations and persons therein named, and for other purposes,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to a general index of the records in the office of the surrogate of Rensselaer county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to empower Master's Lodge No. 5, of Free and Accepted Masons, in the city of Albany, to hold and convey real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes," reported in favor of the

passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Female Academy of the Visitation, of Brooklyn," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Prosser presented two remonstrances of citizens of Buffalo, against the bill confirming grants of street railroads in said city, which were read and referred to the committee on incorporation of cities and villages.

Mr. Bell presented a petition of citizens of Jefferson county, for the passage of an act relative to taking fish in the waters of the St. Lawrence river, from January to August, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the town of Yonkers to raise money by loan to McAdamize the Albany Post Road from King's Bridge to Yonkers, and to plank the causeway leading from King's Bridge,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act relating to boards of health in the county of Columbia," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the trustees of Gorham Cemetery to include in their original plot of ground, the old burying ground lying adjacent thereto," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the reconveyance of lots in Forest Lawn Cemetery, of the city of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the preservation of game in the counties of Suffolk and Queens, Long Island," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act to prevent the adulteration of milk, and to stop the traffic in swill milk," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof," with power to report complete, reported the same complete,

which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Bushwick and Newtown Bridge and Turnpike road company to widen the draw to their bridge, and to grant and release certain rights to the city of Brooklyn," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to revive and extend an act respecting the appropriation of the waters of the Black river for the use of the Black River canal and Erie canal feeder, passed April 3, 1857."

"An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York."

"An act to amend section 1, chapter 506, of the Laws of 1851."

"An act for the relief of Francis M. McFarlin."

"An act to amend the charter of the Long Island railroad company."

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to authorize the sale of a school house erected by the State on the Tonawanda Reservation," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1858," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

The Assembly returned the bill entitled "An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company in the town of Newtown, Queens county,' passed April 16, 1857," with a message that they had concurred in the passage of the same, with the following amendment:

Add at the end of the second section, the following:

"Provided, however, that where such branch roads shall cross any lands which have been laid out into streets and squares, and the map or maps thereof filed in the office of the clerk of the county, such branch roads shall not be of greater width, and shall not follow or take any other line than the street or streets so laid out, unless with the consent of the owner or owners of said land."

The amendment having been read, Mr. Lawrence moved to concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bedd	Gardiner	Lapham	J. M. Murphy	Rotch
Blod	Goss	Lawrence	Pomeroy	Seaborn

Conolly
Ferry
Fiero

Hammond
Hillhouse
Ketcham

McGraw
Montgomery

Ramsey
Robertson

Warner
Williams

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bill, without amendment, to wit:

"An act in relation to Inland Navigation Insurance companies."

Ordered, That the Clerk deliver said bill to the Governor.

In pursuance of previous notice, Mr. J. M. Murphy asked and obtained leave to introduce a bill entitled "An act to to authorize the improvement of the navigation of the Harlem river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Ramsey asked and obtained leave to introduce a bill entitled "An act in relation to the discharge of liens filed and to be filed by mechanics and material men, in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Ketcham asked and obtained leave to introduce a bill entitled "An act to incorporate the Poughkeepsie Gymnasium," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

By unanimous consent, Mr. J. M. Murphy presented a petition of the president and directors of the New York Academy of Music, to exempt property from taxation, which was read and committed to the committee of the whole.

By unanimous consent, Mr. Ketcham presented a remonstrance of citizens of Columbia county, against the act authorizing the board of supervisors to appoint keeper of poor house in said county, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly re-engrossed, the bill entitled as follows:

"An act relative to the provisions of an act entitled 'An act to authorize the formation of a Turnpike company in the town of Newtown, Queens county,' passed April 16, 1857."

The Assembly bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of Rural Cemetery associations,' passed April 27, 1847," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell
Conolly
Ferry
Fiero

Gardiner
Goss
Hammond
Ketcham

Lapham
Lawrence
Montgomery

Promer
Ramsey
Robertson

Rotch
Truman
Williams

14

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act further to amend an act to facilitate the forming of Agricultural and Horticultural societies, passed April 18, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Montgomery	Robertson
Blood	Goss	Lapham	J. M. Murphy	Rotch
Connolly	Hammond	Lawrence	Prosser	Truman
Ferry	Hillhouse	McGraw	Ramsay	Williams
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 628 of Laws of 1857, in relation to the sale of intoxicating liquors," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Prosser	Sessions
Blood	Goss	McGraw	Ramsay	Truman
Ferry	Ketcham	Montgomery	Rotch	Williams

18

FOR THE NEGATIVE.

Connolly	Gardiner	Hammond	Lawrence	J. M. Murphy
Spinoia				

9

Mr. Ball moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize Courts of Sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such court," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Prosser	Sessions
Colvin	Gardiner	McGraw	Ramsay	Truman
Connolly	Goss	Montgomery	Robertson	Williams
Ferry	Ketcham	J. M. Murphy	Rotch	

19

FOR THE NEGATIVE.

Lawrence				
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Union Free School of district No. 9, in the town of Lenox," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	J. M. Murphy	Rotch
Colvin	Gardiner	Lawrence	Prosser	Sessions
Connolly	Goss	McGraw	Ramsay	Truman
Ferry	Hillhouse	Montgomery	Robertson	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Rotch
Colvin	Goss	McGraw	Prosser	Spinola
Connolly	Hillhouse	Montgomery	Ramsey	Truman
Ferry	Ketcham	Munroe	Robertson	Williams
Fiero				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend the charter of the Long Island railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	Prosser	Spinola
Colvin	Hammond	Montgomery	Rotch	Truman
Connolly	Hillhouse	J. M. Murphy	Sessions	Williams
Ferry	Lawrence			

17

FOR THE NEGATIVE.

Fiero	Goss	Ketcham	Lapham	Ramsey
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5

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Prosser	Sessions
Connolly	Hillhouse	Montgomery	Ramsey	Truman
Fiero	Lapham	J. M. Murphy	Rotch	Williams
Goss				

16

FOR THE NEGATIVE.

Colvin	Ketcham	Lawrence	Robertson	Spinola
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5

Mr. Bell moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to lay on the table the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Assembly bill entitled "An act authorizing the trustees of the village of Hornellsville to permit the erection of gas works, and laying pipes for the same in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Montgomery	Robertson
Colvin	Gardiner	Ketcham	J. M. Murphy	Sessions
Connolly	Goss	Lapham	Prosser	Williams
Ferry	Hammond	McGraw	Ramsey	19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canal," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	Prosser	Rotch
Connolly	Goss	Montgomery	Ramsey	Sessions
Ferry	Hillhouse	J. M. Murphy	Robertson	Williams
Fiero	Lapham			17

FOR THE NEGATIVE.

Colvin	Hammond	Ketcham	Lawrence	Truman	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hammond moved to lay on the table the order of business of third reading of bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The third reading of the Assembly bill entitled "An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the 1st day of October, 1861," having been announced—

Mr. Sessions moved to recommit said bill to the committee on canals, with instructions to strike out "one-half mill" in first section, and insert in lieu thereof "one-quarter mill."

Debate was had thereon, when

The hour of 12 o'clock having arrived, the President announced the special order, being the annual appropriation bill.

Mr. Lapham moved to postpone said special order until to-morrow at 12 M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Gardiner	Lapham	Ramsey	Sessions
Connolly	Goss	Lawrence	Rotch	Spinola
Fiero	Kelly	Prosser		13

FOR THE NEGATIVE.

Bell	Hillhouse	Montgomery	Robertson	Warner
Ferry	Ketcham	Richmond	Truman	Williams
Hammond	McGraw			12

The Senate then resumed the consideration of the motion of Mr. Sessions, to recommit the bill to the committee on canals, with instructions, pending when the special order was announced, and report forthwith to the Senate.

Mr. Truman moved to amend by instructing the committee to strike out the third section.

Debate was had thereon, when

Mr. Sessions moved to lay the question on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The third reading of the bill entitled "An act to revive and extend 'An act respecting the appropriation of the waters of the Black river for the use of the Black River canal and Erie canal feeder,' passed April 3, 1857," having been announced—

Mr. Truman moved to recommit said bill to the first committee of the whole.

Mr. Lapham moved to amend by recommitting to the committee on canals, with instructions to strike out the enacting clause.

Debate was had thereon, when the motion was withdrawn.

Mr. Spinola moved to lay the bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Debate again ensued on the motion of Mr. Truman.

Mr. Ramsey moved to lay the bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bleed	Fiero	Lapham	Batch	Truman	
Colvin	Hillhouse	Ramsey	Sessions		9

FOR THE NEGATIVE.

Bell	Goss	McGraw	Prosser	Warner	
Connolly	Hammond	Montgomery	Robertson	Williams	11
Ferry					

Mr. Ramsey moved to recommit to the committee on canals, with instructions to amend the second section by adding "so far as the same relates to the heirs of the late Col. Kirby, Col. John Bradley, Hon. Chas. E. Clarke, Merrill Coburn, Peter S. Hawk, J. C. Lepper, John O'Dougherty, ——— Wilson, ——— Rawson, Moulton and Symonds, the heirs of the late Adriel Ely."

Pending the question on the above, the hour of fifteen minutes to two having arrived, the President declared the Senate adjourned until to-morrow at 10 o'clock.

WEDNESDAY, MARCH 27, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Stratton.

The journal of yesterday was read and approved.

Mr. J. M. Murphy presented a petition of Elijah F. Purdy and others, to remit the tax on the Academy of Music, which was read and committed to the committee of the whole.

Mr. Richmond, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway and through certain other streets in the city of Brooklyn, and New Lots in the county of Kings, passed April 17, 1858,' and also an act amendatory thereof,

passed April 16, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to consolidate the same in one act, passed May 25, 1836,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the village of Richfield Springs, in the county of Otsego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts relating to the village of Palmyra," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lawrence, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Hannah Russell," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Poughkeepsie Gymnasium," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the resolution relative to printing the reports of the select committee of the Senate and Assembly, on the subject of prohibiting intoxicating liquors as a beverage, with a message that they had concurred in the amendments made thereto by the Senate.

Ordered, That the Clerk return said resolution to the Assembly.

Mr. Colvin presented three remonstrances against the Assembly bill, in

relation to Bethlehem road, which were read and referred to the committee on roads and bridges.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to amend an act concerning the proof of wills, executors and administrators, guardian and wards, and surrogates' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

By unanimous consent, Mr. Montgomery asked and obtained leave to introduce a bill entitled "An act for the protection and improvement of the Cayuga Nation of Indians, residing in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

The order of third reading of bills having been announced, the President announced that at the hour of adjournment yesterday, the question pending was on the motion of Mr. Ramsey to recommit the bill entitled "An act to revive and extend an act respecting the appropriation of the waters of the Black river for the use of the Black River canal and Erie canal feeder," passed April 8, 1857," to the committee on canals, with instructions to amend by adding to section two the following: "so far as the same relates to the heirs of the late Col. Edmund Kirby, John Bradley, Charles E. Clarke, Merrill Coburn, Peter S. Howk, John O'Dougherty, J. C. Lepper, Moulton and Symonds, — Rawson, — Wilson, heirs of Mrs. Maria Babcock, and of the late Adriel Ely."

Mr. Ramsey withdrew the motion to recommit, and asked unanimous consent that the amendment be made. There being no objection, the amendment was made.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Montgomery	Richmond
Colvin	Goss	Lapham	J. M. Murphy	Robertson
Connolly	Hillhouse	Lawrence	Prosser	Sessions
Ferry	Kelly	Manierre	Ramsey	Williams 20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to consolidate and amend the several acts relating to the transmission to the office of Secretary of State, by clerks of courts and sheriffs, of records of conviction, and certain other statistical information, as now required by law," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Manierre	Richmond
Colvin	Goss	Ketcham	Montgomery	Robertson
Connolly	Grant	Lapham	J. M. Murphy	Sessions
Ferry	Hillhouse	Lawrence	Prosser	Williams 20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment,

The Assembly bill entitled "An act relating to the boards of health in the county of Columbia," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Manierre	Richmond
Colvin	Goss	Ketcham	Montgomery	Robertson
Connolly	Grant	Lapham	J. M. Murphy	Sessions
Ferry	Hillhouse	Lawrence	Prosser	Williams

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 18, 1784," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Manierre	Richmond
Colvin	Goss	Ketcham	Montgomery	Robertson
Connolly	Grant	Lapham	J. M. Murphy	Sessions
Ferry	Hillhouse	Lawrence	Prosser	

FOR THE NEGATIVE.

Williams	1
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to amend section 1, chapter 506 of the Laws of 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Connolly	Goss	Hillhouse	Manierre	Prosser
Fiero	Hammond	Kelly	J. M. Murphy	

FOR THE NEGATIVE.

Bell	Grant	Lawrence	Ramsey	Sessions
Colvin	Ketcham	Montgomery	Richmond	Williams

Mr. Goss moved to reconsider the vote just taken, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the trustees of Gorham Cemetery to include in their original plot of ground, the old burying ground lying adjacent thereto," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Montgomery	Rotch
Colvin	Goss	Ketcham	J. M. Murphy	Sessions

Connelly
Ferry

Hammond
Hillhouse

Lawrence
Manierre

Prosser

Williams

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the supervisor of the town of Aurora, in the county of Erie, to borrow the sum of three thousand dollars for the purpose of building bridges in said town," reported in favor of the passage of the same, with amendments.

On motion of Mr. Prosser and by unanimous consent, the rules were suspended, and said bill was referred back to the committee, to report complete.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act for the better regulation of a road in Bethlehem, Albany county," reported in favor of the passage of the same, with amendments.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was referred back to the same committee, to report complete.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of fortifications and their appurtenances, within this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell
Colvin
Connelly
Ferry
Fiero

Goss
Hammond
Hillhouse
Kelly
Ketcham

Lapham
Lawrence
Manierre
Montgomery

J. M. Murphy
Richmond
Robertson
Rotch

Sessions
Spinola
Truman
Williams

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act for the better regulation of a road in Bethlehem, Albany county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the the Assembly bill entitled "An act to authorize the supervisors of the town of Aurora, in the county of Erie, to borrow three thousand dollars, for the purpose of building bridges in said town," with power to report complete, reported the same complete, which report was agreed to and said bill ordered to a third reading.

The Assembly bill entitled "An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Manierre	Sessions
Colvin	Goss	Ketcham	Montgomery	Spinola
Connolly	Hammond	Lapham	Richmond	Truman
Ferry	Hillhouse	Lawrence	Rotch	Williams
				29

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lapham	Montgomery	Rotch
Colvin	Hillhouse	Lawrence	Richmond	Sessions
Connolly	Kelly	Manierre	Robertson	Spinola
Fiero	Ketcham			
				17

FOR THE NEGATIVE.

Goss	J. M. Murphy	Williams		3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to incorporate the Female Academy of the Visitation, of Brooklyn."

"An act to prevent the adulteration of milk, and to stop the traffic in swill milk."

"An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1853."

"An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof."

"An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county."

The bill entitled "An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Ramsey	Sessions
Connolly	Hillhouse	Manierre	Richmond	Spinola
Ferry	Lapham	Montgomery	Robertson	Williams
Fiero	Lawrence	J. M. Murphy		
				16

FOR THE NEGATIVE.

Goss	Grant			2
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to prevent the adulteration of milk, and to stop the traffic in swill milk," having been announced,

Mr. Lawrence moved to recommit said bill to the committee on agriculture, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Manierre	Richmond
Blood	Goss	Ketcham	Montgomery	Rotch
Colvin	Grant	Lapham	J. M. Murphy	Truman
Connolly	Hammond	McGraw	Ramsey	Williams
Ferry				

31

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Montgomery	Robertson
Blood	Grant	Lapham	J. M. Murphy	Rotch
Colvin	Hammond	Lawrence	Prosser	Sessions
Connolly	Hillhouse	McGraw	Ramsey	Truman
Ferry	Kelly	Manierre	Richmond	Williams

25

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act in relation to abatement of nuisances in the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Ramsey	Sessions
Blood	Grant	Lapham	Richmond	Spinola
Connolly	Hammond	Manierre	Robertson	Truman
Ferry	Hillhouse	Montgomery	Rotch	Williams
Fiero	Kelly	J. M. Murphy		

22

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Female Academy of the Visitation, of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Hillhouse	Montgomery	Sessions
Blood	Fiero	Kelly	Richmond	Spinola
Colvin	Goss	Lapham	Robertson	Truman
Connolly	Hammond	Manierre	Rotch	

19

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend section 8, article 2, title 5, chapter 1 of part 4 of the Revised Statutes, concerning 'unlawful marriages and incest,'" having been announced—

Mr. Hammond moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to reorganize the State Asylum for Idiots, and to provide for the government and management thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	J. M. Murphy	Sessions	
Connolly	Hillhouse	McGraw	Promser	Truman	
Ferry	Kelly	Manierre	Robertson	Williams	
Fiero	Ketcham	Montgomery	Rotch		19

FOR THE NEGATIVE.

Colvin	Grant	Lapham			8
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The President announced the special order, being the bill entitled "An act to regulate the rate of milk freight on the New York and Harlem railroad."

Mr. Spinola moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said special order.

After some time spent therein, the President resumed the chair, and announced executive session.

Mr. Spinola moved that the executive session be postponed until one o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Debate having ensued, and the hour of one o'clock having arrived, the President resumed the chair, and announced executive session.

Mr. Spinola moved to further postpone executive session fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Debate having ensued, and the hour of fifteen minutes past one having arrived, the President resumed the chair and announced executive session.

Mr. Robertson moved to further postpone executive session until half-past one o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resumed the consideration of the special order pending, being the bill entitled as follows :

"An act to regulate the rate of milk freight on the New York and Harlem railroad."

After some time spent therein, the President resumed the chair, and Mr. Grant, from said committee, reported in favor of the passage of said bill, without amendment.

Mr. Spinola renewed the motion made in committee of the whole, to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Colvin
Connolly
Hammond

Hillhouse
Manierre

J. M. Murphy
Richmond

Spinola
Truman

Warner
Williams

11

FOR THE NEGATIVE.

Bell
Blood
Fiero
Goss

Grant
Kelly
Ketcham
Lapham

Lawrence
McGraw
Montgomery

Munroe
Prosser
Ramsey

Robertson
Rotch
Sessions

17

The President then put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative.

Ordered, That said bill be engrossed for a third reading.

By unanimous consent, Mr. Goss moved that when the Senate adjourns this day, it adjourn at two o'clock, instead of fifteen minutes before two.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act subjecting banking associations in cases of insolvency, to the proceedings authorized by title 4, chapter 8, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the construction of a bridge over the Sing Sing Kill, in the village of Sing Sing, and the raising of money for the payment of the same," reported in favor of the passage of the same.

On motion of Mr. Robertson and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

On motion of Mr. Williams—

Resolved, That the Clerk of the Court of Appeals be requested to send to the Senate, as soon as practicable, a statement of the number of causes entitled to preference by the provisions of chapter 167 of the Session Laws of 1860, which have been heard by the Court of Appeals, at each term thereof, since said chapter became a law, and the number of causes entitled to preference by the provisions of said chapter, which were on the calendar of said Court at the last term thereof and not heard.

The hour of two o'clock having arrived, the President announced that the Senate would stand adjourned until to-morrow at 10 o'clock.

THURSDAY, MARCH 28, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Witherell.

The journal of yesterday was read and approved.

Mr. Manierre presented a petition of James O'Reilly and 100 other citizens of New York, asking for an investigation into the transactions of the common council of said city in relation to the awarding of street cleaning contracts, which was read and referred to the committee on incorporation of cities and villages.

Mr. Connolly presented a petition of owners of property on 66th street, New York, asking for certain amendments to the bill closing Madison square, which was read and referred to the committee on incorporation of cities and villages.

Mr. P. P. Murphy presented a remonstrance of Susan Stahl, against the passage of an act limiting costs on notes given to mutual insurance companies, which was read and referred to the committee on insurance companies.

Mr. Ferry, from the select committee of eight, reported the following Assembly bills as proper to be referred to the several committees reporting them, with power to report complete, to wit:

"An act to amend and consolidate the several acts in relation to the village of Kingston."

"An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village."

"An act to incorporate the village of Richfield Springs, in the county of Otsego."

"An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor."

"An act authorizing the reconveyance of lots in the Forest Lawn Cemetery, of the city of Buffalo."

"An act to repeal section third of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes."

"An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, to the several corporations and persons therein named, and for other purposes.'"

"An act to alter the commissioners' map of the city of Brooklyn."

"An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as they relate to the village of Corning, in the county of Steuben."

"An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes."

"An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853."

"An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836."

"An act to empower Master's Lodge No. 5, of Free and Accepted Masons, in the city of Albany, to hold and convey real and personal estate."

"An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11, 1859."

Also, the following Senate bills:

"An act to incorporate the Metropolitan Cab company."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act entitled 'An act to amend an act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act authorizing the reconveyance of lots in the Forest Lawn Cemetery, of the city of Buffalo," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act subjecting banking associations in cases of insolvency, to the proceedings authorized by title 4, chapter 8, part 3 of the Revised Statutes," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend section 1, title 5, chapter 20 of the 1st part of the Revised Statutes," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to empower Master's Lodge No. 5, of Free and Accepted Masons, in the city of Albany, to hold and convey real estate," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, in the several corporations and persons therein named, and for other purposes,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to extend the charter of the Schuylerville Bridge company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the construction of a bridge over the Sing Sing Kill, in the village of Sing Sing, and the raising of money for the payment of the same," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the bill entitled "An act for the promotion of agriculture and civilization among the Indians in this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the bill entitled "An act for the protection and improvement of the Cayuga Nation of Indians, residing in this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

On motion of Mr. Connolly, and by unanimous consent—

Resolved, That the Comptroller of the city of New York be, and he is hereby requested to inform this body, whether any claims have been made by private individuals to any portion of the property known as Hamilton square, and whether the draft of a law which was transmitted to the President of the Senate by the said Comptroller from the Commissioners of the Sinking Fund, will in his opinion, if passed by this Senate, give rise to any question as to the title of the city of New York to said property, and their right to sell and convey the same for private use.

On motion of Mr. Truman, and by unanimous consent—

Resolved, That a respectful message be sent to Hon. J. C. G. Kennedy, Superintendent of the United States Census, requesting him to forward to this Senate the census of this State, by counties, in order that the Legislature may proceed to make the proper Congressional apportionment by districts.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the Genesee County bank to reduce its capital stock," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on railroads, to which was referred the bill entitled "An act in relation to the Third avenue and Fordham railroad," reported a substitute for the consideration of the Senate, which was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to regulate the rate of milk freight on the New York and Harlem railroad."

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act further to amend an act entitled 'An act to incorporate the village of Kinderhook,' passed April 18, 1838," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the village of Richfield Springs, in the county of Otsego," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend

an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as they relate to the village of Corning, in the county of Steuben," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to alter the commissioners' map of the city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to repeal section third of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to consolidate the same into one act, passed May 25, 1836,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the bill entitled "An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act in relation to constables in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act giving the consent of the State of New York to the purchase, by the United States, of the 'Sisters' Islands' in the St. Lawrence river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same, passed April 17, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend chapter 206 of the Laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to amend an act entitled 'An act to incorporate the Monroe

County Savings institution,' passed April 8, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to incorporate the Seneca Falls Savings bank, at Seneca Falls, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to provide for the incorporation of skating parks and sporting grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act making an appropriation in aid of the People's College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to aid the Troy University," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to supply Sing Sing prison with Croton water, and for the sale of certain lands of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries, passed April 13, 1853,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to extend the charter of the Elmira and Southport bridge company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act for the relief of Franklin W. Whitlock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act in relation to the Troy and Lansingburgh railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson and Hiram Hascall,' passed April 19, 1858."

"An act to provide for the application of highway labor on the Gilboa and Potter's Hollow turnpike."

"An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein,' passed April 15, 1858, chapter 249, and to increase the powers of the commissioners appointed therein."

"An act relative to the provisions of an act entitled 'An act to authorize the formation of a Turnpike company in the town of Newtown, Queens county,' passed April 16, 1857."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to incorporate the Bellevue Hospital Medical College of the city of New York, of the State of New York."

Ordered, That the Clerk return said bill to the Assembly.

By unanimous consent, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly bill entitled "An act to authorize the supervisor of the town of Aurora, in the county of Erie, to borrow the sum of \$3,000 for the purpose of building bridges in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Ketcham	Munroe	Richmond	
Connolly	Grant	Lapham	J. M. Murphy	Rotch	
Ferry	Hammond	Lawrence	P. P. Murphy	Sessions	
Fiero	Hillhouse	Manierre	Prosser	Truman	
Gardiner	Kelly	Montgomery	Ramsey	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act for the better regulation of a road in Bethlehem, Albany county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Robertson	
Blood	Gardiner	Lapham	Prosser	Rotch	
Colvin	Goss	Manierre	Ramsey	Sessions	
Connolly	Grant	Montgomery	Richmond	Spinola	
Ferry					21

FOR THE NEGATIVE.

Hillhouse	J. M. Murphy	P. P. Murphy	Williams	4
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Mr. Hammond moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Hammond	Lawrence	Richmond	Truman	Warner	
Hillhouse	J. M. Murphy				7

FOR THE NEGATIVE.

Bell	Fiero	Kelly	Montgomery	Rotch	
Blood	Goss	Ketcham	Ramsey	Sessions	
Colvin	Grant	Lapham	Robertson	Spinola	
Connolly					16

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway and through certain other streets in the city of Brooklyn, and New Lots in the county of Kings, passed April 17, 1858,' and also an act amendatory thereof, passed April 18, 1860," was read a third time."

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lawrence	Ramsey	Sessions	
Colvin	Gardiner	McGraw	Richmond	Spinola	
Connolly	Kelly	Montgomery	Rotch	Warner	
Ferry	Lapham	J. M. Murphy			18

FOR THE NEGATIVE.

Goss	Hammond	P. P. Murphy	Robertson	Truman	
Grant	Ketcham				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	McGraw	Robertson	
Blood	Goss	Ketcham	Montgomery	Sessions	
Connolly	Grant	Lapham	P. P. Murphy	Truman	
Ferry	Hammond	Lawrence	Richmond	Warner	
Fiero	Hillhouse				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act to authorize the revival of the proceedings heretofore initiated by the board of commissioners of the Central Park, for and in behalf of the mayor, aldermen and commonalty of the city of New York, pursuant to the provisions of an act to alter the map of the city of New York, by laying out thereon a public place, and to authorize the taking of the same, passed April 2, 1859," having been announced—

Mr. Hammond moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act for the relief of Mason A. Burdick," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	J. M. Murphy	Robertson
Colvin	Grant	Lawrence	P. P. Murphy	Sessions
Connolly	Hammond	McGraw	Prosser	Truman
Ferry	Kelly	Montgomery	Richmond	Warner
Gardiner	Ketcham	Munroe		

28

FOR THE NEGATIVE.

Manierre

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of Francis M. McFarlin," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lawrence	P. P. Murphy	Rotch
Connolly	Kelly	McGraw	Prosser	Sessions
Fiero	Ketcham	Munroe	Richmond	Warner
Goss	Lapham	J. M. Murphy	Robertson	

10

FOR THE NEGATIVE.

Bell	Grant	Hillhouse	Manierre	Montgomery
Gardiner				

6

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended, and the Assembly bill entitled "An act to repeal section 3, of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Munroe	Rotch
Blood	Grant	Lawrence	J. M. Murphy	Sessions
Connolly	Hammond	Manierre	P. P. Murphy	Truman
Ferry	Hillhouse	Montgomery	Prosser	Warner
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend and consolidate the several acts relating to the village of Palmyra," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	J. M. Murphy	Sessions
Blood	Hammond	Manierre	Prosser	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Ketcham	Munroe	Rotch	Williams
Fiero	Lapham			

22

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act concerning the navigation of the canals, and the collection of tolls," with a message that they had concurred in the passage of the same, with the following amendments:

Amend section 1, line 3, engrossed bill—after word "towed" insert "except when such boat or float is waiting its turn for lockage."

Amend section 3—strike out the following words at the end of the section: "and shall not be reinstated or reappointed."

Amend section 4, by adding at the end thereof the words "in the county jail."

Amend section 5, line 3, engrossed bill, by striking out the word "locality" and inserting the word "lockage."

Also, same section, insert after the word "thereafter" in line five the words "except by the special direction of the Canal Commissioner or the State Engineer and Surveyor, and then only when the level from which such water is drawn contains at least seven feet in depth of water."

Strike out the entire of section 7, and change section 8 to section 7.

Mr. Prosser moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Beil	Fiero	Kelly	Manierre	Richmond
Blood	Goss	Ketcham	P. P. Murphy	Robertson
Connolly	Hammond	Lawrence	Prosser	Rotch
Ferry	Hillhouse	McGraw	Ramsey	Sessions
				20

FOR THE NEGATIVE.

Montgomery	Truman	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. McGraw offered the following resolution:

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Madison University," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

Mr. Spinola moved that said bill be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The hour of 12 o'clock having arrived, the President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

FRIDAY, MARCH 29, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Stratton.

The journal of yesterday was read and approved.

On motion of Mr. Colvin, and by unanimous consent—

Resolved, That a respectful message be sent to the Hon. the Assembly, requesting that body to return to the Senate the Assembly bill entitled "An act for the better regulation of a road in Bethlehem, Albany county," and that when received, the same be referred to the committee on roads and bridges.

Mr. Colvin presented a remonstrance of Thos. W. Olcott and other citizens of Albany county, against allowing railroad companies to abandon the whole or any portion of their road, which was read and referred to the committee on railroads.

Mr. Manierre presented a petition of Frank Moore and others, for an act for the purpose of collecting elucidating and publishing materials belonging to the history, literature and art of America, in the city of New York, which was read and referred to the committee on literature.

Mr. Fiero presented two remonstrances of inhabitants of Greene county, against the proposed amendments to the charter of the Schoharie Kill Bridge company, which were read and referred to the committee on roads and bridges.

Also, a petition of inhabitants of the county of Greene, praying for amendments to the laws in relation to turnpike inspectors, which was read and referred to the committee on roads and bridges.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Chautauqua Central plankroad company to sell and convey their road," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for raising money by tax for that purpose upon the town of Adams, in said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to extend the charter of the Elmira and Southport bridge company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to legalize certain acts and ordinances of the mayor, aldermen and commonalty of the city of New York, passed November 27, 1856, relating to contracts for filling in sunken lots," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages to which was referred the bill entitled "An act to incorporate the Metropolitan Cab company," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said county," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to protect the Croton Aqueduct from injury during the progress of any work required for its improvement and enlargement," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend and consolidate the several acts in relation to the village of Kingston," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Fiero, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of a draw or swing bridge over Black Rock Harbor, in the city of Buffalo," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on claims, to which was referred the Assembly bill entitled "An act to amend section 1 of chapter 400 of Laws of 1860, entitled 'An act for the relief of Lewis Benedict for canal damages,' passed April 14, 1860," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the incorporation of skating parks and sporting grounds," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to repeal chapter 101 of Laws of 1857, for the alteration of the map of the city of New York, by the extension of the Central Park," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was re-

ferred the bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the discharge of liens filed, and to be filed by any mechanic or material man in the city and county of New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act giving the consent of the State of New York to the purchase by the United States of the 'Sister Islands,' in St. Lawrence river," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to constables in the city of Brooklyn," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from a majority of the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend the act entitled 'An act in relation to the city hall, in the city of New York,' passed April 17, 1858," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Richmond, from the committee on public printing, to which was referred the resolution to print extra copies of the report of the Comptroller, in relation to county treasurers, reported in favor of the adoption of the following resolution:

Resolved, That 500 copies of the Comptroller's reply to the resolution of the Senate, in relation to the payment of the State tax by the county treasurers, be printed for the use of the Senate, and 500 copies for the use of the Comptroller.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act in relation to schools and academies in the village of Plattsburgh," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Colvin, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to supply Sing Sing prison with Croton water, and for the sale of certain lands of the State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to amend chapter 206 of the laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act giving the consent of the State of New York to the purchase by the United States of land, in the city of New York, for the purpose of a post office," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had

concurred in the passage of the following entitled bill, without amendment, to wit:

"An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend the charter of the Schoharie Kill Bridge company, and laws relating thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to incorporate the Loaners' Association in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to increase the number of directors of the Richmond County Gas Light company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs of towns and counties.

"An act to incorporate 'The Tompkinsville Fire Police company,' of the village of Tompkinsville, town of Castleton, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to repeal an act entitled 'An act to incorporate the village of Angelica,' passed May 2, 1835," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act authorizing the trustees of school district No. 21, of the town of Huntington, in the county of Suffolk, to raise money by tax," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended and said bill was referred to the committee on literature, to report complete.

"An act to amend an act to provide for re-building the locks on the Oneida Lake canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act authorizing and directing the Canal Commissioners to construct a ditch, or a canal sewer, from a point near Nelson street, in the city of Rochester, into the Erie canal, below the Brighton lock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act requiring foreign insurance companies to make and file annual statements of their condition and affairs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to amend an act entitled 'An act to encourage the construction

of sidewalks in the village of Unadilla,' chapter 342 of the Laws of 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act providing for the better collection of county taxes in the city of Buffalo, and for the sale by the comptroller of the city of Buffalo, of lands in said city for unpaid taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to authorize the 'Farmerville Rural Cemetery Association' to remove the bodies buried in their cemetery; also to sell and convey said grounds," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized, to Marian Barnhardt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the sale of land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of Addison G. Williams, Milton T. Butts and Peter B. Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisal and payment of canal damages to Salmon Butts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisal and payment of canal damages to Walter R. Milliken," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisal of damages to David Cady Smith and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the appraisal and payment of canal damages to John W. Vanderbosch," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to submit the question of calling a Convention to revise the Constitution and amend the same, to the people of the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the appraisal and payment of canal damages to Gilbert Wolven," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer, to a certain piece of land, and to allow them to hold and convey real estate," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Market Savings bank of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the internal affairs of towns and counties, to report complete.

"An act to authorize the division of towns into election districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act to amend the charter of the Troy Savings bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act for the relief of canal claimants, and to increase the jurisdiction of canal appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to authorize the construction and maintenance of a bridge over the Genesee Valley canal, at Atkinson street, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to provide for the appointment of janitors of the district courts of the city of New York, and the compensation of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the time for the organization of a company and for the completion of a railroad track on the berm side of the Chenango canal, pursuant to chapter 510 of the Laws of 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown,' passed April 10, 1850, and an act amendatory thereto, passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act amending an act in relation to the assessment of highway labor," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Lapham from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county," with power to report complete, reported the same

complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly returned the bill entitled "An act to incorporate the Panama Fair Ground company," with a message that they had concurred in the passage of the same, with the following amendment:

Section 7, line 5 engrossed bill, insert the word "not" before the words "personally liable."

Mr. Sessions moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Montgomery	Robertson
Blood	Grant	Lawrence	Prosser	Sessions
Fiero	Kelly	McGraw	Richmond	Spinola
Gardiner	Ketchum			

17

FOR THE NEGATIVE.

Connolly	Hillhouse	J. M. Murphy	Truman	Williams
Hammond	Manierre	P. P. Murphy	Warner	

9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

By unanimous consent, Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act to legalize certain proceedings of the Ripley Fire Insurance company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act concerning the navigation of the canals and collection of tolls."

"An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11, 1859."

By unanimous consent, Mr. Fiero asked and obtained leave to introduce a bill entitled "An act to authorize and empower the board of supervisors of the county of Greene, to divide and apportion certain excise moneys among the several towns of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

The Assembly bill entitled "An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	J. M. Murphy	Spinola
Blood	Goss	McGraw	P. P. Murphy	Truman
Connolly	Grant	Montgomery	Prosser	Warner
Ferry	Hammond	Munroe	Sessions	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the village of Richfield Springs, in the county of Otsego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	J. M. Murphy	Sessions
Blood	Grant	Lapham	P. P. Murphy	Truman
Ferry	Hammond	McGraw	Prosser	Warner
Fiero	Hillhouse	Montgomery	Richmond	Williams
Gardiner	Kelly	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the re-conveyance of lots in the Forest Lawn cemetery, of the city of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	P. P. Murphy	Spinola
Blood	Goss	Ketcham	Prosser	Truman
Connolly	Grant	McGraw	Richmond	Warner
Ferry	Hammond	Montgomery	Sessions	Williams
Fiero	Hillhouse	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	Munroe	Sessions
Blood	Goss	Lapham	J. M. Murphy	Truman
Connolly	Grant	McGraw	P. P. Murphy	Warner
Ferry	Hammond	Manierre	Prosser	Williams
Fiero	Hillhouse	Montgomery	Richmond	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Goss moved to take from the table the motion to reconsider the vote on the bill entitled "An act to amend section 1, chapter 506 of the Laws of 1851."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

On motion of Mr. Fiero and by unanimous consent, the rules were sus-

pending, and the Assembly bill entitled "An act to amend and consolidate the several acts in relation to the village of Kingston," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Montgomery	Spinola
Blood	Goss	Lapham	Munroe	Truman
Connolly	Grant	Lawrence	P. P. Murphy	Warner
Ferry	Hillhouse	Manierre	Prosser	Williams
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Lawrence moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Mary Jane Ratz," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Munroe	Spinola
Blood	Grant	Lawrence	J. M. Murphy	Truman
Connolly	Hammond	Manierre	Robertson	Warner
Ferry	Hillhouse	Montgomery	Sessions	Williams
Fiero	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bell moved to take from the table the motion to reconsider the vote on the bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Pending the question on the motion to reconsider, the hour of 12 o'clock having arrived, the President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, in the year one thousand eight hundred and sixty-one."

Mr. Truman moved to postpone said special order for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resumed the consideration of the question pending at the hour of 12 o'clock.

After debate thereon—

Mr. Truman moved to lay said bill on the table, until to-morrow.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act for the better regulation of a road in Bethlehem, Albany county."

Ordered, That the Clerk return said bill to the Assembly.

The hour of fifteen minutes after 12 having arrived, the Senate proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, in the year one thousand eight hundred and sixty-one."

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow at 10 o'clock.

SATURDAY, MARCH 30, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Witherell.

The journal of yesterday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following Assembly bills as proper to be referred to the several committees reporting them, with power to report complete, to wit:

"An act further to amend an act entitled 'An act to incorporate the village of Kinderhook,' passed April 18, 1838."

"An act to authorize the Genesee County bank to reduce its capital stock."

"An act authorizing the supervisor of the town of Hempstead, in the county of Queens, to convey certain lands to William H. Dannat."

"An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga."

"An act for the preservation of game in the counties of Suffolk and Queens, Long Island."

"An act to further amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, as far as the same relates to the village of Tonawanda, Erie county."

"An act to amend chapter 206 of the Laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858."

"An act giving the consent of the State of New York to the purchase by the United States, of land in the city of New York for the purpose of a post office."

"An act to extend the charter of the Elmira and Southport bridge company."

"An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement."

"An act to authorize the Chautauqua Central plankroad company to sell and convey their road."

"An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860."

"An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for

raising money by tax for that purpose upon the town of Adams, in said county."

"An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money."

Also, the following Senate bills:

"An act in relation to the draining of certain lands in the town of Preble, county of Cortland."

"An act to amend an act entitled 'An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls,' passed March 27, 1855."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to extend the charter of the Elmira and Southport bridge company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Chautauqua Central plankroad company to sell and convey their road," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for raising money by tax for that purpose upon the town of Adams, in said county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the division of towns into election districts," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to increase the number of directors of the Richmond County Gas Light company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the Farmerville Rural Cemetery Association to remove the bodies buried in their cemetery; also to sell and convey said ground," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act in relation to the draining of certain lands in the town of Preble, county of Cortland," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act for the preservation of game in the counties of Suffolk and Queens, Long Island," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the supervisor of the town of Hempstead, in the county of Queens, to convey certain lands to William H. Dannat," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to the sale of lard," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer, to a certain piece of land, and to allow them to hold and convey real estate," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to submit the question of calling a Convention to revise the Constitution and amend the same, to the people of this State," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized to Marian Barnhardt," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Children's Home Society," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act giving the consent of the State of New York to the purchase, by the United States, of land in the city of New York for the purpose of a post office," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls,' passed March 27, 1855," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act further to amend an act entitled 'An act to incorporate the village of Kinderhook,'

passed April 18, 1838," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act to amend chapter 206 of the Laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ferry, from the committee on banks, to which was referred the Assembly bill entitled "An act to authorize the Genesee County bank to reduce its capital stock," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ferry, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act requiring foreign insurance companies to make and file annual statements of their condition and affairs," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the bill entitled "An act to prevent and punish cruelty to animals," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the trustees of school district No. 21, of the town of Huntington, in the county of Suffolk, to raise money by tax," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Bell, from the select committee, to which was referred the resolution in relation to the number and compensation of legislative officers, reported by bill entitled "An act relative to legislative officers, reporters and employees," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Truman moved that the Assembly bill entitled "An act for the relief of canal claimants, and to increase the jurisdiction of canal appraisers," be printed.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to amend an act entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies, passed June 24, 1853,' and in relation to reports of fire insurance companies," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on insurance companies.

On motion of Mr. Hammond, and by unanimous consent—

Resolved, That hereafter the Senate will hold afternoon sessions on Tuesdays and Thursdays of each week, commencing at half-past three, and closing at six o'clock.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said county."

"An act for the relief of Mary Jane Ratz."

By unanimous consent, Mr. Fiero moved that the committee on internal affairs of towns and counties, be discharged from the further consideration of the bill entitled "An act to authorize and empower the board of supervisors of the county of Greene, to divide certain excise moneys among the several towns of said county," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lawrence	Munroe	Richmond
Connolly	Hillhouse	McGraw	P. P. Murphy	Rotch
Fiero	Kelly	Manierre	Prosser	Sessions
Goss	Lapham	Montgomery	Ramsey	Warner
Grant				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Lawrence moved that the bill entitled "An act for the relief of James Savage and Thomas Kane," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	J. M. Murphy	Rotch
Blood	Gardiner	Lawrence	P. P. Murphy	Sessions
Colvin	Goss	McGraw	Prosser	Warner
Connolly	Hammond	Montgomery	Ramsey	Williams
Ferry	Kelly	Munroe	Richmond	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	J. M. Murphy	Rotch
Blood	Goss	McGraw	P. P. Murphy	Sessions
Colvin	Hammond	Manierre	Prosser	Truman
Connolly	Kelly	Montgomery	Ramsey	Warner
Ferry	Lapham	Munroe	Richmond	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to empower Masters Lodge No. 5 of Free and Accepted Masons, in the city of Albany, to hold and convey real and personal estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Ferry	Kelly	Montgomery	Prosser
Blood	Fiero	Lapham	Munroe	Ramsey
Colvin	Gardiner	McGraw	J. M. Murphy	Robertson
Connolly	Hammond	Manierre	P. P. Murphy	Warner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to incorporate the Metropolitan Cab company."

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to amend an act entitled 'An act to amend an act entitled 'An act in relation to sewerage and drainage in the city of Brooklyn, passed April 15, 1857,' passed April 16, 1859.'"

Ordered, That the Clerk return said bill to the Assembly.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' and the several acts amendatory thereof, so far as they relate to the village of Corning, in the county of Steuben," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Munroe	Richmond
Blood	Gardiner	Lapham	P. P. Murphy	Sessions
Colvin	Goss	Manierre	Prosser	Truman
Connolly	Hammond	Montgomery	Ramsey	Warner
Ferry				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Munroe	Robertson
Blood	Gardiner	Lapham	P. P. Murphy	Sessions
Colvin	Goss	Manierre	Prosser	Truman
Connolly	Hammond	Montgomery	Richmond	Warner
Ferry	Hillhouse			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to legalize certain proceedings of the Ripley Fire Insurance company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Kelly	Montgomery	Richmond
Connolly	Goss	Lapham	Munroe	Sessions
Ferry	Hammond	McGraw	P. P. Murphy	Truman
Fiero	Hillhouse	Manierre	Ramsey	

79

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Munroe	Rotch
Blood	Grant	Lawrence	P. P. Murphy	Spinola
Connolly	Hammond	McGraw	Prosser	Truman
Fiero	Hillhouse	Manierre	Richmond	Warner
Gardiner	Kelly	Montgomery	Robertson	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Truman moved to take from the table the bill entitled "An act to amend an act entitled 'An act in relation to the collection of taxes on lands of non-residents, and to provide for the sale of such lands for unpaid taxes,' passed April 13, 1855."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	P. P. Murphy	Sessions
Ferry	Hammond	Manierre	Prosser	Truman
Fiero	Hillhouse	Montgomery	Rotch	Warner

15

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Ramsey	Spinola
Colvin	Grant	McGraw	Robertson	Williams
Connolly	Kelly	J. M. Murphy		

13

The bill entitled 'An act to enable the supervisors of the county of New

York to acquire and take lands for the building of a court house in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Munroe	Robertson
Blood	Goes	Lapham	J. M. Murphy	Rotch
Colvin	Grant	McGraw	Prosser	Sessions
Connolly	Hammond	Manierre	Ramsey	Warner
Ferry	Hillhouse	Montgomery	Richmond	

24

FOR THE NEGATIVE.

Williams

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act giving the consent of the State of New York to the purchase, by the United States, of land in the city of New York for the purpose of a post office," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	McGraw	P. P. Murphy	Sessions
Ferry	Hammond	Manierre	Prosser	Spinola
Fiero	Hillhouse	Munroe	Ramsey	Truman
Goes	Lawrence	J. M. Murphy	Rotch	Warner

20

FOR THE NEGATIVE.

Blood	Connolly	Lapham	Richmond	Williams
Colvin	Gardiner	Montgomery	Robertson	

9

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to facilitate the construction of the Albany and Susquehanna railroad," with a message that they had concurred in the passage of the same, with the following amendment :

Section 1, line 17, engrossed bill, after word "act" strike out the balance of the section, as follows :

"Which said several sums are hereby appropriated for public purposes, to aid the said company in developing the resources of a sequestered portion of the State, which has hitherto paid its quota of taxes for public improvements in other parts of the State, without participating in their advantages."

Mr. Ramsey moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Manierre	Ramsey	Sessions
Colvin	Hillhouse	Munroe	Richmond	Spinola
Connolly	Ketcham	J. M. Murphy	Robertson	Truman
Goes	Lapham	Prosser	Rotch	Warner
Grant	McGraw			

22

FOR THE NEGATIVE.

Montgomery P. P. Murphy

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

By unanimous consent, Mr. Lawrence asked and obtained leave to introduce a bill entitled "An act authorizing the trustees of the village of Flushing, to convey certain lands for a town hall," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lawrence and by unanimous consent, the rules were suspended and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE

Bell	Fiero	McGraw	P. P. Murphy	Rotch
Blood	Goss	Manierre	Prosser	Sessions
Colvin	Grant	Montgomery	Richmond	Warner
Connolly	Hillhouse	Munroe	Robertson	Williams
Ferry	Lawrence	J. M. Murphy		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Colvin moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend section 36, of chapter 5, title 1, part 3 of the Revised Statutes," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Gardiner	Hillhouse	Montgomery	Ramsey
Colvin	Goss	Lapham	Munroe	Richmond
Connolly	Grant	Lawrence	P. P. Murphy	Rotch
Fiero	Hammond	McGraw	Prosser	Sessions

20

FOR THE NEGATIVE.

Manierre J. M. Murphy Spinola Truman

4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Blood moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to extend the charter of the Schuylerville Bridge company," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Gardiner	Lapham	Montgomery	Rotch
Colvin	Goss	Lawrence	Munroe	Sessions

Connolly Ferry Fiero	Grant Hammond	McGraw Manierre	Ramsey Richmond	Truman Williams	21
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 506 of the Laws of 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	McGraw	Prosser	Sessions	
Colvin	Grant	Manierre	Richmond	Truman	
Connolly	Hammond	Munroe	Robertson	Warner	
Fiero	Hillhouse	P. P. Murphy	Rotch	Williams	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to amend an act entitled 'An act to amend and modify the several acts relating to the village of Newburgh, and to combine the same into one act,' passed May 25, 1836," having been announced—

Mr. Grant moved to recommit said bill to the committee on incorporation of cities and villages, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The bill entitled "An act to incorporate the Metropolitan Cab company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Manierre	Prosser	Rotch	
Colvin	Hammond	Munroe	Ramsey	Sessions	
Ferry	Hillhouse	J. M. Murphy	Richmond	Spinola	
Fiero	McGraw	P. P. Murphy	Robertson	Warner	
Goss					21

FOR THE NEGATIVE.

Connolly	Kelly	Lapham	Montgomery	Williams	5
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Munroe offered the following resolution:

Resolved, That when the Senate adjourns, it be to meet again on Monday evening next at 7 o'clock.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Lapham	Munroe	Robertson	Spinola	
Connolly	Lawrence	Ramsey	Rotch	Warner	
Hammond	Manierre	Richmond	Sessions	Williams	
Kelly					16

FOR THE NEGATIVE.

Bell	Fiero	Grant	McGraw	J. M. Murphy	
Blood	Gardiner	Hillhouse	Montgomery	P. P. Murphy	
Ferry	Goss				12

Mr. Ramsey moved that the Assembly bill entitled "An act to submit

the question of calling a Convention to revise the Constitution and amend the same, to the people of the State," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

By unanimous consent, Mr. J. M. Murphy moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act for the relief of Mary Worrall," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	J. M. Murphy	Sessions
Connolly	Grant	Lawrence	P. P. Murphy	Spinola
Ferry	Hammond	McGraw	Prosser	Truman
Fiero	Hillhouse	Manierre	Robertson	Warner
Gardiner	Kelly	Montgomery	Rotch	

24

FOR THE NEGATIVE.

Blood	Colvin	Richmond	
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly returned the following entitled bills:

"An act concerning the navigation of the canals and the collection of tolls."

"An act to incorporate the Panama Fair Ground company."

"An act to facilitate the construction of the Albany and Susquehanna railroad.

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to amend and consolidate the several acts in relation to the village of Kingston."

Ordered, That the Clerk return said bill to the Assembly.

Mr. Spinola offered the following resolution:

Resolved, That a committee of five be appointed to inquire into irregularities of management or other misconduct, by officers of the corporation of the city of New York, with the view to such legislation as may be necessary, and that such committee have power to send for persons and papers; that the committee have leave to report at the next session of the Legislature.

Mr. Lawrence moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	McGraw	Richmond	Warner
Colvin	Lawrence			

7

FOR THE NEGATIVE.

Bell	Goss	Lapham	J. M. Murphy	Rotch
Connolly	Hammond	Manierre	P. P. Murphy	Sessions
Ferry	Hillhouse	Montgomery	Prosser	Spinola
Gardiner	Kelly	Munroe	Ramsey	Truman

20

Mr. Bell moved to amend by adding the words: "and that the expenses shall be paid by the corporation of the city of New York."

Pending the question, the hour of 12 o'clock having arrived, the President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

Mr. Spinola moved to postpone said special order, until the disposition of the resolution pending.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	J. M. Murphy	Richmond	Sessions	
Connolly	Hammond	P. P. Murphy	Rotch	Spinola	
Ferry	Kelly	Ramsey			13

FOR THE NEGATIVE.

Colvin	Grant	Lapham	McGraw	Munroe	
Fiero	Hillhouse	Lawrence	Montgomery	Warner	10

The Senate resumed the consideration of the question pending at the hour of 12 o'clock.

Mr. Truman moved to postpone the whole subject until Wednesday next at 11 o'clock, and that it be made the special order for that time.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	Lawrence	Richmond	Truman	
Colvin	Hillhouse	McGraw	Rotch	Warner	
Gardiner	Lapham	Prosser			13

FOR THE NEGATIVE.

Bell	Goss	Manierre	J. M. Murphy	Robertson	
Connolly	Hammond	Montgomery	P. P. Murphy	Sessions	
Ferry	Kelly	Munroe	Ramsey	Spinola	
Fiero					16

The President then put the question whether the Senate would agree to said motion of Mr. Bell, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Manierre	P. P. Murphy	Rotch	
Blood	Kelly	Montgomery	Prosser	Sessions	
Ferry	Lapham	Munroe	Ramsey	Truman	
Goss	Lawrence	J. M. Murphy	Richmond	Warner	
Grant					21

FOR THE NEGATIVE.

Connolly	Fiero	Gardiner	Hammond	Spinola	5
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Mr. Colvin moved to postpone the further consideration of the resolution until Tuesday next, at 12 m.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	McGraw	Richmond	Truman	
Colvin	Lawrence	Prosser	Rotch	Warner	
Gardiner					11

FOR THE NEGATIVE.

Bell	Goss	Lapham	Munroe	Ramsey	
Connolly	Hammond	Manierre	J. M. Murphy	Sessions	
Ferry	Hillhouse	Montgomery	P. P. Murphy	Spinola	
Fiero	Kelly				17

Mr. Lawrence moved to amend by striking out the word "five" and inserting the word "seven."

Mr. Colvin called for the reading of the names of the memorialists asking for the passage of the said resolution.

The Clerk was proceeding to read, when

Mr. Lawrence moved to suspend the further reading thereof.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Manierre	Prosser	Sessions	
Connolly	Kelly	Montgomery	Ramsey	Spinola	
Ferry	Lawrence	P. P. Murphy	Rotch	Truman	15

FOR THE NEGATIVE.

Blood	Goss	Hillhouse	Manroe	Robertson	
Colvin	Grant	Lapham	Richmond	Warner	
Gardiner	Hammond	McGraw			13

The President then put the question whether the Senate would agree to said motion of Mr. Lawrence, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Lawrence					1
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FOR THE NEGATIVE.

Bell	Fiero	Hillhouse	Montgomery	Richmond	
Blood	Gardiner	Kelly	J. M. Murphy	Rotch	
Colvin	Goss	Lapham	P. P. Murphy	Sessions	
Connolly	Grant	McGraw	Prosser	Truman	
Ferry	Hammond	Manierre	Ramsey	Warner	25

Mr. Grant moved to amend by adding the following:

"Said committee shall not be authorized to investigate charges against any others than the mayor, aldermen and common council of said city."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows.

FOR THE AFFIRMATIVE.

Bell	Ferry	Lapham	Prosser	Robertson	
Colvin	Grant	Montgomery	Richmond	Rotch	10

FOR THE NEGATIVE.

Connolly	Hillhouse	McGraw	P. P. Murphy	Spinola	
Fiero	Kelly	Manierre	Ramsey	Truman	
Goss	Lawrence	J. M. Murphy	Sessions	Warner	
Hammond					16

Mr. McGraw moved to postpone the further consideration of said resolution, until Tuesday next at 4 o'clock.

Mr. Spinola moved to amend "that the final question on the adoption of the resolution, be taken at one o'clock to-day, without delay or debate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	P. P. Murphy	Rotch	
Connolly	Hammond	Manierre	Prosser	Sessions	
Ferry	Hillhouse	Montgomery	Ramsey	Spinola	
Fiero	Kelly	J. M. Murphy			18

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Richmond	Truman	
Colvin	Grant	McGraw	Robertson	Warner	10

Mr. Grant moved to amend by adding the following:

"Said investigation shall not apply to the comptroller, chamberlain, nor corporation counsel."

The hour of one o'clock having arrived, the President announced the special order, being the question on the adoption of the resolution of Mr. Spinola, as amended.

The President put the question whether the Senate would agree to the adoption of said resolution, as amended, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	J. M. Murphy	Rotch
Connolly	Hammond	Manierre	P. P. Murphy	Sessions
Ferry	Hillhouse	Montgomery	Ramsey	Spinola
Fiero	Kelly			

17

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Prosser	Robertson
Colvin	Grant	McGraw	Richmond	Truman

18

When the name of Mr. Blood was called, that Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until Monday at 7 o'clock P. M.

MONDAY, APRIL 1, 1861.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment.

No clergyman present.

The journal of Saturday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following Assembly bills as proper to be referred to the standing committees reporting them, with power to report complete, to wit:

"An act to incorporate 'The Children's Home Society.'"

"An act requiring foreign insurance companies to make and file annual statements of their condition and affairs."

"An act to authorize the Bushwick and Newtown bridge and turnpike road company to widen the draw to their bridge, and to grant and release certain rights to the city of Brooklyn."

"An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town."

"An act in relation to a general index of the records in the office of the surrogate of Rensselaer county."

"An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854."

"An act to increase the number of directors of the Richmond County Gas Light company."

"An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized, to Marian Barnhardt."

Also, the following Senate bill:

"An act to incorporate the Poughkeepsie gymnasium."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Ramsey presented a petition of citizens of New York, for the passage of the bill preventing the removal of persons from office without cause, which was read and referred to the committee on the judiciary.

Mr. Colvin presented a petition of citizens of Rensselaerville, Albany county, for prescribing the place of holding the next town meeting of said town, which was read and referred to the committee on internal affairs of towns and counties.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Monroe County Savings Institution,' passed April 8, 1850," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to increase the number of directors of the Richmond County Gas Light company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Connolly moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New York," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the Troy Savings bank," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Loaners' Association, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Richmond, from the committee on railroads, to which was referred the bill entitled "An act in relation to railroad companies," reported that

they had made sundry amendments thereto, and amended the title so as to read "An act in relation to the Albany and Vermont railroad company, and the Rensselaer and Saratoga railroad company, and their connecting roads," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

Mr. Richmond, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Troy and Lansingburgh railroad company," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the New York Volunteers' Burial and Monument Association," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Colvin, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized, to Marian Barnhardt," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to a general index of the records in the office of the surrogate of Rensselaer county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The President presented a communication from the Clerk of the Court of Appeals, in reply to a resolution of the Senate, adopted on the 27th March, calling for certain information in relation to preferred causes on the calendar of said court, which was laid on the table and ordered printed.

(See Doc. No. 63.)

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act providing for the place of holding the next town meeting in the town of Rensselaerville, Albany county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act in relation to the draining of certain lands in the town of Preble, county of Cortland."

The third reading of the Assembly bill entitled "An act to extend the charter of the Elmira and Southport Bridge company," having been announced—

Mr. Truman moved to lay the third reading of bills on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Ferry	Goss	Ketcham	Munroe	
Colvin	Fiero	Hammond	Lapham	Prosser	
Connolly	Gardiner	Hillhouse	Montgomery	Warner	16

FOR THE NEGATIVE.

Grant	Kelly	Lawrence	Rotch	Truman	5
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Mr. Truman moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act for the preservation of game in the counties of Suffolk and Queens, Long Island," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Ferry	Hammond	Lapham	Munroe
Blood	Gardiner	Hillhouse	Lawrence	Rotch
Colvin	Goss	Ketcham	Montgomery	Warner
Connolly	Grant			

17

FOR THE NEGATIVE.

Kelly	P. P. Murphy	Prosser	Robertson
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Montgomery	Richmond
Blood	Gardiner	Ketcham	Munroe	Robertson
Colvin	Goss	Lapham	P. P. Murphy	Rotch
Connolly	Grant	McGraw	Prosser	Warner
Ferry				

21

FOR THE NEGATIVE.

Kelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hammond moved to take from the table the motion to reconsider the vote on the Assembly bill entitled "An act to extend the charter of the Elmira and Southport Bridge company."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	McGraw	Richmond
Blood	Goss	Ketcham	Montgomery	Robertson
Colvin	Hammond	Lapham	Munroe	Rotch
Connolly	Hillhouse	Lawrence	P. P. Murphy	Warner
Ferry				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for raising money by tax for that purpose upon the town of Adams, in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Richmond
Blood	Gardiner	Lapham	P. P. Murphy	Robertson
Colvin	Goss	McGraw	Prosser	Rotch
Connolly	Hammond	Montgomery	Ramsey	Warner
Ferry	Hillhouse			

22

FOR THE NEGATIVE.

Kelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	P. P. Murphy	Robertson
Connolly	Goss	McGraw	Prosser	Rotch
Ferry	Hammond	Montgomery	Richmond	Warner
Fiero	Hillhouse	Munroe		

18

FOR THE NEGATIVE.

Blood

Kelly

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend chapter 206 of the Laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Robertson
Connolly	Goss	Lapham	P. P. Murphy	Rotch
Ferry	Hammond	McGraw	Ramsey	Warner
Fiero	Hillhouse	Montgomery		

18

FOR THE NEGATIVE.

Colvin

Kelly

Prosser

3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the Genesee County bank to reduce its capital stock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Hillhouse	Montgomery	Ramsey
Connolly	Goss	Ketcham	Munroe	Robertson
Ferry	Grant	Lapham	P. P. Murphy	Warner
Fiero	Hammond	McGraw	Prosser	

19

FOR THE NEGATIVE.

Colvin	Kelly	Richmond	Rotch
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the supervisor of the town of Hempstead, in the county of Queens, to convey certain lands to William H. Dannat," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Colvin	Fiero	Hillhouse	Prosser	Rotch
Connolly	Goss	McGraw	Ramsey	Warner
Ferry	Hammond	Montgomery	Richmond	

14

FOR THE NEGATIVE.

Kelly

1

Mr. Lawrence moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was again read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	P. P. Murphy	Robertson
Blood	Goss	McGraw	Prosser	Rotch
Connolly	Hammond	Montgomery	Ramsey	Truman
Ferry	Hillhouse	Munroe	Richmond	Warner
Fiero	Ketcham			

22

FOR THE NEGATIVE.

Kelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the trustees of school district No. 21, of the town of Huntington, in the county of Suffolk, to raise money by tax," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Hammond	McGraw	Ramsey
Blood	Fiero	Hillhouse	Munroe	Richmond
Colvin	Gardiner	Ketcham	P. P. Murphy	Rotch
Connolly	Goss	Lawrence	Prosser	Warner

20

FOR THE NEGATIVE.

Kelly

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act in relation to the draining of certain lands in the town of Preble, county of Cortland," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Kelly	Montgomery	Ramsey
Blood	Fiero	Ketcham	Munroe	Richmond
Colvin	Goss	Lawrence	P. P. Murphy	Rotch
Connolly	Hillhouse	McGraw	Prosser	Warner
				20

FOR THE NEGATIVE.

Truman

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Goss moved that the bill entitled "An act to prevent bribery and corruption," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Prosser moved that the Assembly bill entitled "An act in relation to the Auditor of the Canal Department," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Munroe moved that the bill entitled "An act for the relief of Reuben H. Bangs and Seymour Pratt," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Blood moved that the bill entitled "An act in relation to the Albany and Vermont railroad company, and the Rensselaer and Saratoga railroad company, and their connecting roads," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Connolly moved that the bill entitled "An act to provide against mutilation of the records in the city of New York," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Truman moved to reconsider the vote on the resolution adopted on Saturday, in relation to investigating the affairs of the government of the city of New York, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows:

Assembly bill, "An act for the appraisal and payment of canal damages to Jeremiah Van Buren."

"An act to establish a nautical school in the harbor of the city of New York."

"An act for the relief of the Madison University."

After some time spent therein, the President resumed the chair, and Mr. Hillhouse, from said committee, reported in favor of the passage of the first named bill, without amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Hillhouse, from the same committee, reported progress on the second named bill, and asked and obtained leave to sit again.

Mr. Hillhouse, from the same committee, reported progress on the last named bill, and asked leave to sit again.

Mr. Colvin moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Truman moved to lay the whole subject on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Kelly	Lawrence	Prosser	
Gardiner	Hillhouse	Lapham	Montgomery	Truman	10

FOR THE NEGATIVE.

Blood	Ferry	McGraw	Ramsey	Rotch	
Colvin	Fiero	Munroe	Richmond	Warner	
Connolly	Ketcham	P. P. Murphy	Robertson		14

The President then put the question whether the Senate would agree to said motion of Mr. Colvin, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Blood	Ferry	Ketcham	P. P. Murphy	Robertson	
Colvin	Fiero	McGraw	Ramsey	Rotch	
Connolly	Kelly	Munroe	Richmond		18

FOR THE NEGATIVE.

Bell	Hammond	Lapham	Montgomery	Truman	
Gardiner	Hillhouse	Lawrence	Prosser	Warner	
Goss					11

Ordered, That said bill be engrossed for a third reading.

On motion of Mr. Blood, the Senate adjourned.

TUESDAY, APRIL 2, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

The journal of yesterday was read and approved.

Mr. Connolly presented a memorial of Samuel Turvin Paxton and Rice Paxton, in relation to the bill for the relief of Hannah Russell, which was read and committed to the committee of the whole.

By unanimous consent, Mr. Connolly moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act for the relief of Hannah Russell," together with the memorial, relating to the same subject, and that they be recommitted to the committee on claims.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin presented a remonstrance of J. H. McClure and other citizens of Albany, against allowing the Albany and Vermont railroad company to abandon a part of their road, which was read and committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act providing for the place of holding the next annual town meeting, in the town of Rensselaerville, Albany county," reported in favor of the passage of the same.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

The Assembly returned the concurrent resolution directing the joint committee of the Senate and Assembly, to inquire into the condition of the Law Library of the State, and report upon the necessity of legislative action in respect thereto, with a message that they had concurred in the passage of the same, without amendment.

Ordered, That the Clerk deliver said resolution to the Secretary of State.

A message from the Assembly was received and read, in the words following, to wit:

IN ASSEMBLY, *March 30, 1861.*

Resolved, That the Senate be respectfully notified, in response to its request for the return of the Assembly bill No. 202, entitled "An act for the better regulation of a road in Bethlehem, Albany county," for further action on its part, that previous to said request being received, the House had concurred in the amendments of the Senate to said bill, and that it is, therefore, out of the power of the Assembly to comply with said request.

By order,

H. A. RISLEY, *Clerk.*

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to authorize the supervisor of the town of Aurora, in the county of Erie, to borrow the sum of three thousand dollars, for the purpose of building bridges in said town."

"An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway and through certain other streets in the city of Brooklyn, and New Lots, in the county of Kings, passed April 17, 1858,' and also an act amendatory thereof, passed April 16, 1860."

Ordered, That the Clerk return said bills to the Assembly.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to enlarge the powers of the trustees of the village of Jamestown, Chautauqua county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

Mr. J. M. Murphy, from the committee on literature, to which was referred the bill entitled "An act to incorporate the Poughkeepsie Gymnasium," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the Warwick Valley railroad company to use a fifty pound iron rail," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

The President presented a communication from the Comptroller of the city of New York, in reply to a resolution of the Senate, calling for certain

information in relation to Hamilton square, in said city, which was laid on the table and ordered printed.

(See Doc. No. 62.)

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act declaratory of the right of the jury in the trial of cases for crime."

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act for the relief of Madison University."

"An act providing for the appointment of an additional number of notaries public in the city and county of New York."

The Assembly bill entitled "An act to authorize the Chautauqua Central plankroad company to sell and convey their road," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	McGraw	Robertson	Spinola
Colvin	Hillhouse	Montgomery	Rotch	Truman
Connolly	Ketcham	J. M. Murphy	Sessions	Warner
Fiero	Lapham	Richmond		

18

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	J. M. Murphy	Rotch
Blood	Goss	Lapham	Prosser	Sessions
Colvin	Grant	Montgomery	Ramsey	Truman
Connolly	Hammond	Munroe	Robertson	Warner
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," having been announced—

On motion of Mr. Goss and by unanimous consent, said will was amended by inserting the following as an additional section:

"The provisions of this act shall not apply to the counties of Suffolk and Queens."

Said bill, as amended, was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	Ramsey	Sessions
Blood	Gardiner	Munroe	Richmond	Spinola

Colvin Connolly	Goss Hammond	J. M. Murphy	Rotch	Truman	17
FOR THE NEGATIVE.					
Fiero Grant	Ketcham	Prosser	Robertson	Warner	6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act to incorporate the Poughkeepsie Gymnasium."

The bill entitled "An act to amend an act entitled 'An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls,' passed March 27, 1845," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Lapham	J. M. Murphy	Rotch	
Connolly	Goss	McGraw	Prosser	Sessions	
Ferry	Kelly	Montgomery	Richmond	Truman	
Fiero	Ketcham	Munroe	Robertson	Warner	20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Lapham	Prosser	Sessions	
Colvin	Grant	Montgomery	Richmond	Spinola	
Connolly	Kelly	Munroe	Robertson	Truman	
Fiero	Ketcham	J. M. Murphy	Rotch	Warner	
Gardiner					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to a general index of the records in the office of the surrogate of Rensselaer county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	Montgomery	Robertson	
Blood	Goss	Ketcham	Munroe	Rotch	
Colvin	Grant	Lapham	Prosser	Spinola	
Connolly	Hammond	McGraw	Richmond	Truman	
Fiero					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act providing for the appointment of an additional number of notaries public in the city and county of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Prosser	Spinola
Blood	Goss	Lapham	Richmond	Truman
Connolly	Hammond	McGraw	Robertson	Warner
Fiero	Kelly	Munroe	Rotch	

19

FOR THE NEGATIVE.

Montgomery				
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1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill entitled "An act to incorporate the Poughkeepsie Gymnasium," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Robertson
Colvin	Goss	Lapham	J. M. Murphy	Rotch
Connolly	Grant	McGraw	Prosser	Sessions
Fiero	Hammond	Montgomery	Richmond	Warner

20

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the Assembly bill entitled "An act for the appraisal and payment of canal damages to Jeremiah Van Buren," having been announced—

On motion of Mr. Truman and by unanimous consent, said bill was amended by inserting the word "legally" before the word "liable" in section 1.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	J. M. Murphy	Rotch
Bell	Hammond	McGraw	Prosser	Sessions
Blood	Kelly	Montgomery	Robertson	Truman
Fiero	Ketcham	Munroe		

18

FOR THE NEGATIVE.

Colvin	Gardiner	Grant	Richmond	Spinola
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6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, to the several corporations and persons therein named, and for other purposes,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiere	Kelly	Munroe	Rotch
Bell	Gardiner	Ketcham	J. M. Murphy	Sessions
Blood	Goss	Lapham	Prosser	Truman
Colvin	Grant	McGraw	Richmond	Warner
Ferry	Hammond	Montgomery	Robertson	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized, to Marian Barnhardt," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	J. M. Murphy	Rotch
Bell	Gardiner	Ketcham	P. P. Murphy	Sessions
Blood	Goss	McGraw	Prosser	Truman
Colvin	Grant	Montgomery	Richmond	Warner
Connolly	Hammond	Munroe	Robertson	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Prosser moved to reconsider the vote on the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860," and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. J. M. Murphy moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to establish a nautical school in the harbor of the city of New York," and that the same be ordered engrossed for a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Rotch moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act making an appropriation in aid of the New York State Agricultural College," and that the same be ordered engrossed for a third reading.

Mr. Lapham moved to recommit said bill to the committee on agriculture.

Pending the question on said motion of Mr. Lapham, the hour of 12 o'clock having arrived, the President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

Mr. Rotch moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met, resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

After some time spent therein, the President resumed the chair, and announced that the hour of six o'clock having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, APRIL 3, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Campbell.

The journal of yesterday was read and approved.

The order of business of standing committees having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The order of business of communications from State officers having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President presented a communication from J. C. G. Kennedy, Superintendent of United States Census, transmitting an official statement of the census of 1860, in response to a resolution of the Senate.

Mr. Goss moved to refer said communication and accompanying papers to a select committee of three.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

(See Doc. No. 61.)

In pursuance of previous notice, Mr. Connolly asked and obtained leave to introduce a bill entitled "An act to incorporate the Citizens' Guarantee and Advance Association, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The order of business of third reading of bills having been announced—

Mr. Truman moved to lay that order of business on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Hammond—

Resolved, That the Senate now go into committee of the whole on the Assembly bill entitled "An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one," and that the same be made the special order for to-day, and to-morrow, immediately after reading the journal, unless sooner disposed of.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of 12 o'clock having arrived, the Senate would go into executive session.

After some time spent therein, the doors were opened, and legislative business resumed.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of the special order, pending at the hour of 12 o'clock.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

THURSDAY, APRIL 4, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Dickson.

The journal of yesterday was read and approved.

The President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the special order pending at the hour of taking a recess, being the Assembly bill entitled as follows:

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

After some time spent therein, the President resumed the chair, and Mr. Goss, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Fiero moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Spinola moved to recommit said bill to the committee of the whole, with instructions to amend by inserting the following:

"For the Roman Catholic Orphan Asylum of the city of New York, the sum of \$5,000 towards liquidating the indebtedness incurred by the roofing of that building in the hurricane of February, 1860."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	McGraw	Munroe	Robertson	
Colvin	Kelly	Montgomery	J. M. Murphy	Spinola	
Connolly	Lawrence				12

FOR THE NEGATIVE.

Bell	Hammond	Lapham	Prosser	Rotch	
Ferry	Hillhouse	Manierre	Richmond	Warner	
Fiero	Ketcham	P. P. Murphy			13

The President then put the question whether the Senate would agree to said motion of Mr. Fiero, to discharge the committee of the whole and order the bill to a third reading, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Hammond moved that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Clerk was proceeding with the third reading of said bill, when

Mr. Spinola moved to recommit said bill to the committee on finance, with instructions to amend by inserting the following, and report the same back forthwith, to wit :

"For the Roman Catholic Orphan Asylum of the city of New York, the sum of \$5,000 towards liquidating the indebtedness incurred by the roofing of that building in the hurricane of February, 1860."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Hillhouse	Manierre	Prosser	
Ferry	Hammond	Lapham	P. P. Murphy	Warner	10

FOR THE NEGATIVE.

Blood	Gardiner	Lawrence	Munroe	Robertson	
Colvin	Grant	McGraw	J. M. Murphy	Rotch	
Connolly	Kelly	Montgomery	Richmond	Spinola	
Fiero					16

Mr. Hillhouse, from the committee on finance, reported back said bill, with the amendment, as directed by the Senate.

Mr. Hammond moved to recommit said bill to the committee on finance, with instructions to amend by striking out the following in lines 168, 169 and 170 of printed bill, "and for the collection of fossils, under the same contract, for use in the preparation of the 4th volume of the Paleontologist, \$1,000," and report the same back forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fiero	Hammond	Lapham	McGraw	P. P. Murphy	
Grant	Kelly	Lawrence	Montgomery	Warner	10

FOR THE NEGATIVE.

Bell	Ferry	Hillhouse	J. M. Murphy	Robertson	
Blood	Gardiner	Manierre	Prosser	Rotch	
Colvin	Goss	Munroe	Richmond	Spinola	
Connolly					16

Mr. Lapham moved to lay the third reading of said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond moved to recommit to the committee on finance, with in-

structions to amend by inserting the following at the end of the appropriation for the Onondaga salt springs, and report back forthwith, to wit:

"Which shall be paid out of the monies receivable by the State from the manufacture of salt, and the duties on all salt manufactured hereafter from the Onondaga salt springs shall be two cents per bushel."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	Lapham	Manierre	P. P. Murphy	
Colvin	Hillhouse	Lawrence	Montgomery	Prosser	
Grant					11

FOR THE NEGATIVE.

Blood	Gardiner	Ketcham	J. M. Murphy	Rotch	
Connolly	Goss	McGraw	Richmond	Spinola	
Ferry	Kelly	Munroe	Robertson	Warner	
Fiero					16

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Hillhouse	Munroe	Robertson	
Blood	Fiero	Kelly	J. M. Murphy	Rotch	
Colvin	Gardiner	Ketcham	Prosser	Spinola	
Connolly	Goss	McGraw	Richmond		19

FOR THE NEGATIVE.

Grant	Lapham	Manierre	Montgomery	P. P. Murphy	
Hammond	Lawrence				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to relieve the Seneca nation of Indians, by preferring certain causes on the calendar of the Court of Appeals."

"An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1853."

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Lawrence, the Senate adjourned.

FRIDAY, APRIL 5, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marsh.

The journal of yesterday was read and approved.

Messrs. Robertson, Blood and Colvin presented remonstrances against allowing railroad companies to abandon the whole or any portion of their road, which were read and committed to the committee of the whole.

Mr. Montgomery presented a remonstrance of the Seneca Nation of Indians, against the passage of the 25th section of the Assembly bill, for the protection and improvement of the Tonawanda band of Seneca Indians,

which was read and referred to the committee on internal affairs of towns and counties.

Mr. Bell, from the select committee of eight, reported the following entitled bills, as proper to be taken from the general orders and recommitted to the appropriate standing committees, to report complete, to wit:

"An act for the promotion of agriculture and civilization among the Indians in this State."

"An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York."

"An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess,' passed April 14, 1859."

Also, the following Assembly bills:

"An act to amend an act entitled 'An act to incorporate the Monroe County Savings Institution,' passed April 8, 1850."

"An act to provide for the incorporation of skating parks and sporting grounds."

"An act to incorporate the Loaners' Association in the city of New York."

"An act to amend the charter of the Troy Savings bank."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Bell, from a majority of the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act to provide for the rebuilding the locks on the Oneida Lake canal," reported in favor of the passage of the same.

On motion of Mr. Warner and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend the charter of the Troy Savings bank," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Monroe County Savings Institution,' passed April 8, 1850," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Munroe from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Loaners' Association in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to incorporate the Children's Home Society," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to extend the time for the organization of a company and for the completion of a railroad track on the berm side of the Chenango canal, pursuant to chapter 510 of the Laws of 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act authorizing the Canal Commissioners to construct a ditch or a canal sewer from a point near Nelson street, in the city of Rochester, into the Erie canal below the Brighton locks," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess,' passed April 14, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to provide for the incorporation of skating parks and sporting grounds," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the bill entitled "An act for the promotion of agriculture and civilization among the Indians in this State," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ramsey, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the appointment of janitors of the district courts of the city of New York, and the compensation of the same," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Addison G. Williams, Milton T. Butts and Peter B. Williams," reported the same for the consideration of the Senate, without expressing any opinion thereon, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal of damages to David Cady Smith and others," reported in favor of the passage of the same.

By unanimous consent, Mr. Ramsey moved to refer said bill to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in the police courts in the city of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Warner, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act providing for the place of holding the next town meeting in the town of Rensselaerville, Albany county."

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Piero	Lawrence	Prosser	Seaborn
Blood	Goss	McGraw	Ramsey	Truman
Colvin	Hammond	Montgomery	Richmond	Warner
Connolly	Ketcham	Munroe	Rotch	Williams
Ferry	Lapham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to amend an act entitled 'An act to amend an act to provide for the incorporation of villages, passed December 7, 1847, so far as relates to the village of Niagara Falls,' passed March 27, 1855."

"An act to establish a nautical school in the harbor of the city of New York."

By unanimous consent, Mr. Blood moved that the Assembly bill entitled "An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Bell moved that the bill entitled "An act relative to legislative officers, reporters and employees," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Colvin moved that the following entitled bills be referred to the first committee of the whole, not full, to wit :

"An act providing for the punishment of the crimes of treason, murder and arson in the first degree."

Assembly bill, "An act to submit the question of calling a Convention to revise the Constitution and amend the same to the people of the State."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Ramsey moved that the Assembly bill entitled "An act to amend section 1, of chapter 400 of the Laws of 1860, entitled 'An act for the relief of Lewis Benedict, for canal damages,' passed April 14, 1860," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. J. M. Murphy moved that the bill entitled "An act to amend chapter 275 of the Laws of 1850, entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said

motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

By unanimous consent, Mr. Colvin moved that the Assembly bill entitled "An act in relation to the Troy and Lansingburgh railroad company," be recommitted to the committee on railroads, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Fiero moved that the Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," be recommitted to the committee on militia and public defence, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Prosser moved that the Assembly bill entitled "An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend the charter of the village of Oneida Castle," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the Canal commissioners to drain and restore lands overflowed by back-water from Black Rock harbor and the draining of Skajaquoday creek, in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act for the relief of the St. Regis tribe of Indians," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act for the relief of Sarah D. Everson," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act relinquishing title and ceding jurisdiction to the United States over certain land in the city of Oswego to be occupied as a pier, and to rescind the contract of a sale of said land," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide means to support the government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on finance.

"An act to amend an act entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific, and missionary societies, passed April 12, 1848,' passed April 7, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to authorize the incorporation of juvenile reformatory asylums," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to organize a fire department and board of fire commissioners in and for the city of Troy," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act for the relief of Smith A. Waterman and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Assembly sent for concurrence the following resolution :

Resolved, (if the Senate concur,) That there be printed of the Transactions of the American Institute for the year 1860, 25 copies for each member, officer and reporter of the Legislature; 750 copies for the said Institute; 20 copies for each county agricultural society in counties electing one member of Assembly, and a proportionate additional number in counties electing more than one member of Assembly; 10 copies for each town agricultural society, and 15 copies for each union agricultural society, and 50 copies for the Regents of the University for exchange.

Ordered, That said resolution be laid on the table.

The Assembly sent for concurrence the following resolution :

Resolved, (if the Senate concur,) That 1,000 copies of the Transactions of the State Agricultural Society be printed for the use of the society; 25 copies for each member and officer of the Legislature; 15 copies for each reporter of the Legislature; 20 copies for each agricultural society in counties electing one member of Assembly, and a proportionate additional number in counties electing more than one member of Assembly; 10 copies for each town agricultural society, and 15 copies for each union agricultural society; and 50 copies for the Regents of the University; and that said reports be printed and bound in the same manner as last year, and be printed and distributed in accordance with the foregoing resolution, without delay; and that the same be ready for distribution by the 1st of September.

Ordered, That said resolution be laid on the table.

The Assembly bill entitled "An act to increase the number of directors of the Richmond County Gas Light company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	J. M. Murphy	Robertson
Bleed	Goss	McGraw	Prosser	Rotch
Colvin	Hammond	Montgomery	Ramsey	Warner
Ferry	Kelly	Munroe	Richmond	Williams
Piero	Ketcham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Goss asked and obtained leave to introduce a bill entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of widening the bridge over the Genesee river, at Main street in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Goss and by unanimous consent, the rules were suspended and said bill was ordered to a third reading, two-thirds of all the Senators present voting in favor thereof.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Munroe	Rotch
Bell	Gardiner	Lapham	Prosser	Sessions
Blood	Goss	Lawrence	Ramsey	Truman
Colvin	Hammond	McGraw	Richmond	Warner
Connolly	Kelly	Montgomery	Robertson	Williams
Ferry				

26

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the bill entitled "An act to regulate the rate of milk freight on the New York and Harlem railroad," having been announced—

Mr. Lapham moved to recommit said bill, with instructions to amend, as follows :

Strike out in 9th line, 1st section, the words "or any part thereof," and insert in lieu thereof as follows : "lying between Croton Falls and."

Also, strike out in 3d section, 3d line, the words "or any part thereof."

Also, insert in 8th line of the 1st section, the words "such part of."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Ketcham	Munroe	Ramsey	Rotch
Goss	Montgomery	Prosser	Robertson	Sessions

10

FOR THE NEGATIVE.

Abell	Ferry	Hammond	McGraw	Truman
Blood	Fiero	Kelly	J. M. Murphy	Warner
Colvin	Gardiner	Lapham	Richmond	Williams
Connolly	Grant	Lawrence	Spinola	

19

Mr. Ketcham moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Ramsey
Connolly	Goss	McGraw	J. M. Murphy	Robertson
Ferry	Grant	Montgomery	Prosser	Rotch

15

FOR THE NEGATIVE.

Abell	Fiero	Lawrence	Sessions	Warner
Blood	Hammond	Richmond	Spinola	Williams
Colvin	Kelly			

12

The bill entitled "An act to establish a nautical school in the harbor of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	Richmond	Spinola
Bell	Fiero	Montgomery	Robertson	Truman
Blood	Gardiner	Munroe	Rotch	Warner
Colvin	Hammond	J. M. Murphy	Sessions	Williams
Connolly	Kelly			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The third reading of the Assembly bill entitled "An act to alter the Commissioners' map of the city of Brooklyn," having been announced—

On motion of Mr. Spinola and by unanimous consent, said bill was amended by inserting the following :

"§ 2. The Fifth avenue, as the same was laid down on the commissioners' map of the city of Brooklyn, and extended from Flatbush avenue to Atlantic avenue by an act entitled 'An act to continue Fifth avenue in the city of Brooklyn from its present northerly termination to Atlantic avenue, passed April 19, 1855,' is hereby discontinued and closed from Flatbush avenue to Atlantic avenue."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Munroe	Sessions
Blood	Gardiner	Ketcham	J. M. Murphy	Spinola
Colvin	Goss	McGraw	Prosser	Warner
Connolly	Hammond	Montgomery	Rotch	

19

FOR THE NEGATIVE.

Williams	
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Kinderhook,' passed April 18, 1838," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Sessions
Bell	Goss	McGraw	Prosser	Truman
Blood	Hammond	Montgomery	Robertson	Warner
Colvin	Kelly	Munroe	Rotch	Williams
Connolly	Ketcham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said county," with a message that they had concurred in the passage of the same, with the following amendment :

Section 2, line 2, engrossed bill, after the word "court," insert the word "at."

Mr. Connolly moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Sessions
Bell	Goss	Lawrence	Prosser	Spinola

Blood	Fiero	Ketcham	Robertson	Warner	
Connolly	Hammond	Montgomery	Rotch	Williams	
Ferry	Kelly	Richmond	Truman		24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The order of business of motions and resolutions having been announced, the President stated that the question pending was the motion of Mr. Rotch to discharge the committee of the whole from the further consideration of the bill entitled "An act making an appropriation in aid of the New York State Agricultural College," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Connolly	Kelly	Munroe	Robertson	
Blood	Gardiner	Ketcham	J. M. Murphy	Rotch	
Colvin	Goss	McGraw	Ramsey	Spinola	15

FOR THE NEGATIVE.

Abell	Grant	Montgomery	Sessions	Warner	
Ferry	Hammond	Prosser	Truman	Williams	
Fiero	Lapham				12

Ordered, That said bill be engrossed for a third reading.

Mr. Sessions moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to reduce the fare, and provide better accommodations for passengers, upon the New York city railroads," and that the same be ordered to a third reading.

The Clerk proceeded to call the roll, on said motion of Mr. Sessions, and when the name of Mr. Robertson was called, that Senator being absent—

Mr. Spinola moved a call of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then directed all persons except Senators, officers and reporters, to vacate the chamber.

The chamber having been cleared, the President directed the Clerk to call the roll—when the following Senators were found to be present:

Abell	Fiero	Ketcham	Munroe	Rotch	
Bell	Goss	Lapham	J. M. Murphy	Spinola	
Blood	Grant	Lawrence	Prosser	Truman	
Colvin	Hammond	McGraw	Ramsey	Warner	
Connolly	Kelly	Montgomery	Richmond	Williams	
Ferry					26

Mr. Lawrence moved that Messrs. Hillhouse, P. P. Murphy and Manierre be excused, being absent on business of the Senate.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin moved that all further proceedings under the call be suspended.

Pending the question on said motion of Mr. Colvin, the Sergeant-at-Arms appeared at the bar with Mr. Robertson.

The President inquired what excuse he had to offer for being absent from the Senate at a call thereof.

Mr. Robertson having stated his excuse—

Mr. Rotch moved that he be excused.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Colvin, and it was decided in the affirmative.

The doors were again opened.

The Senate resumed the consideration of the question pending at the hour of ordering a call of the Senate, and the Clerk having called the name of Mr. Robertson—

That Senator moved that he be excused from voting.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Clerk then announced the result on the motion of Mr. Sessions to discharge the committee of the whole from the further consideration of said bill, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Prosser	Sessions	
Blood	Goss	Lawrence	Ramsey	Truman	
Colvin	Grant	Montgomery	Rotch	Warner	
Connolly					16

FOR THE NEGATIVE.

Abell	Hammond	McGraw	Richmond	Williams	
Ferry	Lapham	J. M. Murphy	Spinola		9

Ordered, That said bill be engrossed for a third reading.

By unanimous consent, Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to repeal chapter 410 of the Laws of 1860, entitled 'An act in relation to capital punishment and to provide for the more certain punishment of the crime of murder,'" reported adversely thereto.

Mr. Goss moved that the report of the committee be disagreed to, and that said bill be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Ketcham	Richmond	Warner	
Ferry	Grant	McGraw	Robertson	Williams	
Fiero					11

FOR THE NEGATIVE.

Abell	Connolly	Kelly	Montgomery	Rotch	
Blood	Gardiner	Lapham	Prosser	Sessions	
Colvin	Hammond	Lawrence	Ramsey	Truman	
					15

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, and said bill was rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage thereof.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to authorize the common council of the city of Rochester to raise money for the purpose of widening the bridge over the Genesee river, at Main street in said city."

Mr. Goss offered the following resolution :

Resolved, (if the Assembly concur,) That this Legislature will adjourn, *sine die*, on Wednesday the 10th day of April instant, at 10 o'clock P. M.

Ordered, That said resolution be laid on the table.

By unanimous consent, Mr. Colvin asked and obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act for the better regulation of a road in Bethlehem, Albany county,' passed March 28, 1861," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Prosser	Rotch
Bell	Goss	Lapham	Ramsey	Sessions
Blood	Grant	Lawrence	Richmond	Truman :
Colvin	Hammond	Montgomery	Robertson	Warner
Connolly	Kelly	Munroe		23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Goss moved that two members be added to the select committee on census, and apportionment of the State.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond offered the following resolution :

Resolved, That the committee on the manufacture of salt, be discharged from the further consideration of the bill in relation to the duties on salt, and that the same be printed, and referred to the next committee of the whole, not full.

Mr. Warner moved to amend by striking out all after the word "Resolved," and inserting in lieu thereof, the following :

"That the committee on the manufacture of salt, be instructed to report to-morrow morning, on the bill referred to them in relation to the duties on salt."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof.

On motion of Mr. Grant, and by unanimous consent—

Resolved, That the bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York," be recommitted to the committee on the judiciary, to report complete.

Mr. Munroe offered the following resolution :

Resolved, (if the Assembly concur,) That the State Engineer and Surveyor be, and he is hereby directed to cause a survey of so much of that portion of the Seneca river and the marsh lands adjacent thereto as lies between Cayuga lake and Jack's reefs, as may, together with the use of surveys and reports already made, be necessary to enable him to determine the amount of work already done, the estimated number of acres already benefitted, the practicability and estimated expense of completing the draining of said lands, together with such other information as in his opinion may be important for the Legislature to determine what further legislation may be necessary to levy and collect from the owners of said lands benefitted, such sums of money as have already been advanced by the State for the purpose of reclaiming said swamp and marsh lands, and to report the result of said survey to the next Legislature, on or before the 15th day of January next.

Ordered, That said resolution be laid on the table.

Mr. McGraw offered the following resolution :

Resolved, That hereafter no Senator shall speak more than ten minutes at one time, nor more than twice on the same bill, amendment, motion or resolution, either in committee of the whole or in Senate.

Mr. Spinola moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Warner moved to amend by adding the words, "without permission of the Senate."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Spinola moved to refer said resolution, as amended, to the committee on rules.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Prosser moved to take from the table the motion to reconsider the vote on the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of moose, wild deer, birds and fish,' passed April 14, 1860."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Ketcham	Montgomery	Robertson	Spinola
Blood	Lapham	Munroe	Rotch	Warner
Colvin	Lawrence	Prosser	Sessions	Williams
Fiero	McGraw	Richmond		

18

FOR THE NEGATIVE.

Connolly Hammond

2

Mr. Prosser moved to recommit said bill to the committee on internal affairs of towns and counties, with instructions to amend as follows, and report back forthwith, to wit :

Strike out the second section, and insert "Nothing contained in this act shall apply to the waters of lakes Erie, Ontario, Cayuga and Champlain, or to the rivers St. Lawrence and Niagara, or the bays thereof."

Mr. Fiero moved to amend so as to recommit said bill to the committee of the whole, and that the same be made the special order for Monday next.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced as the select committee on the communication from the Superintendent of the United States Census, and in relation to the apportionment of the State, Messrs. Goss, Sessions, Connolly, Montgomery and Grant.

Mr. Fiero offered the following resolution :

Resolved, That the bill No. 265, entitled "An act to amend an act to suppress intemperance and to regulate the sale of intoxicating liquors, passed April 16, 1857," be made the special order for Monday next at 12 o'clock.

Mr. Spinola moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders, being the bills entitled as follows :

"An act to prevent bribery and corruption."

"An act for the relief of Reuben H. Bangs and Seymour Pratt."

Assembly bill, "An act in relation to the Auditor of the Canal Department."

After some time spent therein, the President resumed the chair, and Mr. McGraw, from said committee, reported progress on the first named bill, and asked and obtained leave to sit again.

Mr. McGraw, from the same committee, reported in favor of the passage of the second named bill, without amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. McGraw, from the same committee, reported in favor of the passage of the last named bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows :

"An act to repeal an act entitled 'An act for the better regulation of a road in Bethlehem, Albany county,' passed March 28, 1861."

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bills :

"An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement."

"An act in relation to the draining of certain lands in the town of Cicero, county of Onondaga."

"An act for the appraisal and payment of canal damages to Jeremiah Van Buren."

Ordered, That the Clerk return said bills to the Assembly.

On motion of Mr. Colvin, and by unanimous consent—

Resolved, That when the Senate adjourns to-day, it be to meet at half-past three o'clock, for the consideration of general orders.

Mr. Spinola moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the following entitled bill :

"An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said city."

Ordered, That the Clerk deliver said bill to the Governor.

The hour of fifteen minutes to two having arrived, the President declared the Senate adjourned.

SATURDAY, APRIL 6, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Von Puttkammer.

The journal of yesterday was read and approved.

Mr. Ferry, from the select committee of eight, reported the following bill as proper to be referred to the several committees reporting them, with power to report complete, to wit :

"An act ceding jurisdiction to the United States over lands to be occupied as sites of fortifications, and their appurtenances, within this State."

Also, the following Assembly bills :

"An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company."

"An act to extend the time for the organization of a company and for

the completion of a railroad track on the berm side of the Chenango canal, pursuant to chapter 510 of the Laws of 1859."

"An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes, passed February 17, 1848."

"An act giving the consent of the State of New York to the purchase by the United States, of the 'Sisters' Islands' in the St. Lawrence river."

"An act to authorize the 'Farmerville Rural Cemetery Association' to remove the bodies buried in their cemetery; also to sell and convey said grounds."

"An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer, to a certain piece of land, and to allow them to hold and convey real estate."

"An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district."

"An act authorizing the Warwick Valley railroad company to use a fifty pound iron rail."

"An act to incorporate the New York Volunteers' Burial and Monumental Association."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Grant presented a remonstrance of citizens of the village of Newburgh, against amendment of village charter, which was read and referred to the committee on incorporation of cities and villages.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to authorize the 'Farmerville Rural Cemetery Association' to remove the bodies buried in their cemetery; also to sell and convey said grounds," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Oneida Castle," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, and New York delegation, to which was referred the Assembly bill entitled "An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof, and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds' therefor," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to encourage the construction of side walks in Unadilla,' chapter 342 of the Laws of 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of Olean to open Hamilton street, in said

village," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to incorporate the Tompkinsville Fire Police company, of the village of Tompkinsville, town of Castleton, Richmond county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act in relation to the construction of cross and side walks in the village of Forestville," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown, passed April 10, 1850, and an act amendatory thereto,' passed April 14, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to enlarge the powers of trustees of the village of Jamestown, Chautauqua county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo and enlarge its boundaries, passed April 13, 1853,' and the several acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from a majority of the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm the grants of street railways in the city of Buffalo and for the extension thereof, and to confer upon the common council of that city the power to make ordinances respecting the same," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the Assembly bill entitled "An act to provide means to support the government," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hillhouse, from the committee on finance, to which was referred the Assembly bill entitled "An act making appropriations for certain expenses of government," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Hillhouse moved that said bill be made the special order for Monday next, immediately after reading the journal, and that said special order be continued until disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the Bushwick and Newtown bridge and turnpike road company to widen the draw to their bridge, and to grant and release certain rights to the city of Brooklyn," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend the charter of the Schoharie Kill bridge company," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act to extend the time for the organization of a company and for the completion of a railroad track on the berm side of the Chenango canal, pursuant to chapter 510 of the Laws of 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the Warwick Valley railroad company to use a fifty pound iron rail," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Fiero, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Fiero, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act to incorporate the New York Volunteers' Burial and Monument Association," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Richmond, from the committee on railroads, to which was referred the Assembly bill entitled "An act in relation to the Troy and Lansingburgh railroad company," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Market Savings bank of Troy," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows:

"An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess,' passed April 14, 1859."

"An act to reduce the fare, and provide better accommodations for passengers upon the New York city railroads."

"An act making an appropriation in aid of the New York State Agricultural College."

"An act for the relief of Reuben H. Bangs and Seymour Pratt."

"An act for the promotion of agriculture and civilization among the Indians in this State."

By unanimous consent, Mr. Munroe moved that the Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Geddes, in the county of Onondaga," be recommitted to the committee on railroads, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act ceding jurisdiction to the United States over lands to be occupied as sites of fortifications and their appurtenances, within this State," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relinquishing title and ceding jurisdiction to the United States over certain land in the city of Oswego, to be occupied as a pier, and to rescind the contract of a sale of said land," reported in favor of the passage of the same.

On motion of Mr. Warner and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Hammond from the committee on the judiciary, to which was referred the Assembly bill entitled "An act giving the consent of the State of New York to the purchase by the United States of the 'Sisters' Islands,' in the St. Lawrence river," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer to a certain piece of land, and to allow them to hold and convey real estate," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act for the relief of Smith A. Waterman and others," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to amend the charter of the Troy Savings bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell
Colvin

Fiero
Goss

Hillhouse
Ketcham

Montgomery
Munroe

Richmond
Rotch

Connolly Ferry	Grant Hammond	Lapham Lawrence	J. M. Murphy Ramsey	Sessions Williams	20
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FOR THE NEGATIVE.

Robertson

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the Monroe County Savings Institution,' passed April 8, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	J. M. Murphy	Rotch	
Colvin	Hammond	McGraw	Ramsey	Sessions	
Connolly	Ketcham	Montgomery	Richmond	Warner	
Fiero	Lapham	Munroe	Robertson	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to incorporate the Loaners' Association in the city of New York," having been announced—

Mr. Hammond moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	McGraw	P. P. Murphy	Spinola	
Bell	Ferry	Montgomery	Prosser	Warner	
Blood	Gardiner	Munroe	Robertson	Williams	
Colvin	Ketcham	J. M. Murphy	Rotch		19

FOR THE NEGATIVE.

Fiero	Grant	Hammond	Lapham	Lawrence	5
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend an act entitled 'An act for the more effectual draining of certain swamp and low lands in the towns of Pine Plains and Stanford, in the county of Dutchess,' passed April 14, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Fiero	Ketcham	Munroe	Sessions	
Colvin	Goss	Lapham	Prosser	Warner	
Connolly	Hammond	McGraw	Robertson	Williams	
Ferry	Kelly	Montgomery	Rotch		19

FOR THE NEGATIVE.

Gardiner

1

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to incorporate the Children's Home Society," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	Lawrence	J. M. Murphy	Rotch	
Bell	Goss	McGraw	P. P. Murphy	Sessions	
Blood	Kelly	Montgomery	Prosser	Warner	
Colvin	Ketcham	Munroe	Richmond	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act for the relief of the Madison University," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Connolly	McGraw	P. P. Murphy	Spinola	
Blood	Ferry	Munroe	Richmond	Warner	
Colvin	Kelly	J. M. Murphy	Rotch		14

FOR THE NEGATIVE.

Piero	Grant	Lapham	Prosser	Sessions	
Gardiner	Hammond	Montgomery	Robertson	Williams	
Goss	Ketcham				12

Mr. McGraw moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The bill entitled "An act making an appropriation in aid of the New York State Agricultural College," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	McGraw	Richmond	Rotch	
Colvin	Ketcham	Munroe	Robertson	Spinola	
Connolly	Lawrence	J. M. Murphy			13

FOR THE NEGATIVE.

Abell	Gardiner	Lapham	Prosser	Warner	
Ferry	Grant	Montgomery	Sessions	Williams	
Piero	Hammond	P. P. Murphy			13

Mr. Rotch moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Lawrence	J. M. Murphy	Robertson	
Colvin	Goss	McGraw	Prosser	Rotch	
Connolly	Ketcham	Munroe	Richmond	Spinola	15

FOR THE NEGATIVE.

Abell	Grant	Lapham	P. P. Murphy	Warner	
Piero	Hammond	Montgomery	Sessions	Williams	10

The Assembly bill entitled "An act to provide for the incorporation of skating parks and sporting grounds," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Munroe	Rotch
Blood	Goss	Lawrence	J. M. Murphy	Spinola
Colvin	Hammond	McGraw	Richmond	Warner
Connolly	Ketcham	Montgomery	Robertson	Williams
Ferry				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the bill entitled "An act for the relief of Reuben H. Bangs and Seymour Pratt," having been announced—

On motion of Mr. Munroe and by unanimous consent, said bill was amended as follows :

After the word "by" in 4th line, insert "raising the water on their wheels, and also by."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	P. P. Murphy	Sessions
Blood	Goss	Montgomery	Prosser	Spinola
Colvin	Hammond	Munroe	Robertson	Warner
Connolly	Lapham	J. M. Murphy	Rotch	Williams

20

FOR THE NEGATIVE.

Grant	Ketcham	Richmond
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3

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act authorizing the construction of a bridge over the Sing Sing Kill, in the village of Sing Sing, and the raising of money for the payment of the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Robertson
Blood	Goss	Lawrence	P. P. Murphy	Rotch
Colvin	Hammond	Montgomery	Prosser	Sessions
Connolly	Ketcham	Munroe	Richmond	Warner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act relinquishing title and ceding jurisdiction to the United States over certain land in the city of Oswego, to be occupied as a pier, and to rescind the contract of a sale of said land," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The bill entitled "An act for the promotion of agriculture and civilization among the Indians in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	P. P. Murphy	Robertson
Blood	Grant	Montgomery	Prosser	Rotch
Colvin	Hammond	Munroe	Ramsey	Sessions
Connolly	Ketcham	J. M. Murphy	Richmond	Warner
Fiero				

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the Auditor of the Canal Department," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	P. P. Murphy	Robertson
Blood	Goss	Montgomery	Prosser	Rotch
Colvin	Hammond	Munroe	Ramsey	Sessions
Connolly	Ketcham	J. M. Murphy	Richmond	Warner
Ferry				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Goss moved to take from the table the motion to reconsider the vote on the bill entitled "An act to amend chapter 628 of Laws of 1857, in relation to the sale of intoxicating liquors."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	Munroe	Ramsey	Sessions
Colvin	Ketcham	P. P. Murphy	Richmond	Truman
Fiero	Lapham	Prosser	Rotch	Warner
Goss	Montgomery			

17

FOR THE NEGATIVE.

Abell	Connolly	Kelly	Lawrence	J. M. Murphy
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Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Prosser	Spinola
Blood	Goss	Lapham	Ramsey	Truman
Colvin	Grant	Lawrence	Rotch	Warner
Connolly	Hammond	Munroe	Sessions	Williams
Ferry	Kelly	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the Warwick Valley railroad company to use a fifty pound iron rail," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	Prosser	Sessions
Colvin	Grant	McGraw	Ramsey	Truman
Connolly	Hammond	Montgomery	Richmond	Warner
Ferry	Kelly	Munroe	Rotch	Williams
Fiero	Lapham	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to extend the time for the organization of a company and for the completion of a railroad track on the berm side of the Chenango canal, pursuant to chapter 510 of the Laws of 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Grant	McGraw	P. P. Murphy	Sessions
Connolly	Hammond	Montgomery	Prosser	Truman
Ferry	Kelly	Munroe	Richmond	Warner
Fiero	Lapham	J. M. Murphy	Rotch	Williams
Goss	Lawrence			

23

FOR THE NEGATIVE.

Ketcham	Ramsey	Spinola	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the New York Volunteers' Burial and Monumental Association," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Ramsey	Spinola
Connolly	Grant	McGraw	Richmond	Truman
Ferry	Hammond	Montgomery	Rotch	Warner
Fiero	Kelly	Munroe	Sessions	Williams
Gardiner	Lapham	J. M. Murphy		

28

FOR THE NEGATIVE.

Abell	Colvin	
-------	--------	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Lawrence offered the following preamble and resolution:

Whereas, Owing to the present unhappy and distracted state of this Nation, the act for increasing the duties on imports passed at the close of the recent session of Congress, is incapable of being enforced or put in operation in some of the States of this Union; and whereas, in consequence thereof, and of the onerous provisions of said act, a fatal blow will be inflicted upon the commerce and best interests of this State.

Resolved, (if the Assembly concur,) That the said act of Congress ought to be immediately repealed and the former system of imports restored, and that our Senators are hereby instructed and our Representatives in Congress are requested to use their best efforts to effect such purpose.

Resolved, (if the Assembly concur,) That a copy of said resolution be sent to the President of the United States.

Ordered, That said resolution be laid on the table.

Mr. Munroe called for the consideration of the following resolution:

Resolved, (if the Assembly concur,) That the State Engineer and Surveyor be, and he is hereby directed to cause a survey of so much of that portion of the Seneca river and the marsh lands adjacent thereto as lies between Cayuga lake and Jack's reefs, as may, together with the use of surveys and reports already made, be necessary to enable him to determine the amount of work already done, the estimated number of acres already benefitted, the practicability and estimated expense of completing the draining of said lands, together with such other information as in his opinion may be important for the Legislature to determine what further legislation may be necessary to levy and collect from the owners of said lands benefitted, such sums of money as have already been advanced by the State for the purpose of reclaiming said swamp and marsh lands, and to report the result of said survey to the next Legislature, on or before the 15th day of January next.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative.

By unanimous consent, Mr. Bell, from the committee on manufactures, to which was referred the Assembly bill entitled "An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," passed February 17, 1848," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Bell from the majority of the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act to provide for the rebuilding the locks on the Oneida Lake canal," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson moved that the bill entitled "An act in relation to the Third avenue and Fordham railroad company," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Goss moved that the Assembly bill entitled "An act authorizing and directing the Canal Commissioners to construct a ditch, or a canal sewer, from a point near Nelson street, in the city of Rochester, into the Erie canal, below the Brighton lock," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Truman called for the consideration of the following resolution :

Resolved, (if the Assembly concur,) That this Legislature will adjourn *sine die*, on Wednesday the 10th day of April instant, at 10 o'clock P. M.

Mr. Lapham moved to lay said resolution on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin offered the following resolution :

Resolved, That on and after Monday next, the Senate will hold afternoon sessions, commencing at half-past three o'clock.

Mr. Truman moved to amend by adding, "and adjourn precisely at six o'clock."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the general orders.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would stand adjourned until Monday morning at 10 o'clock

MONDAY, APRIL 8, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Rawson.

The journal of Saturday was read and approved.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit :

"An act to amend the 53d section of the Code of Procedure, entitled 'Of courts of justices of the peace.'"

"An act in relation to the draining of certain lands in the town of Preble, county of Cortland."

"An act to amend the act to establish an insurance department, passed April 15, 1859, and authorizing insurance companies to change the dates of the termination of their fiscal year, in certain cases."

"An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11, 1859."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Ferry, from the select committee of eight, reported the following entitled bills, as proper to be taken from the general orders and recommended to the appropriate standing committees, to report complete, to wit :

"An act in relation to schools and academies in the village of Plattsburgh."

"An act entitled an act to amend an act concerning the proof of wills, executors and administrators, guardians, and wards, and surrogate courts, passed May 16, 1837."

Also, the following Assembly bills :

"An act to authorize the trustees of the village of Olean to open Hamilton street, in said village."

"An act in relation to the construction of cross and side walks in the village of Forestville."

"An act to amend the charter of the village of Oneida Castle."

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries, passed April 13, 1858,' and the several acts amendatory thereof."

"An act to amend an act entitled 'An act to encourage the construction of side walks in Unadilla,' chapter 342 of the Laws of 1860."

"An act to enlarge the powers of the trustees of the village of Jamestown, Chautauqua county."

"An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842."

"An act to incorporate the Market Savings bank of Troy."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered; That said bills be recommitted to the standing committees reporting them, with power to report complete.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act authorizing the board of supervisors of the county of New York to borrow money in anticipation of the collection of the annual taxes, and to regulate the expenditure of moneys appropriated by said board to and for various purposes; also, to provide for deficiencies caused by erroneous assessments, and the non-collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend chapter 372 of the Laws of 1860, entitled 'An act to authorize the corporation of the city of New York to borrow a further sum of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the laying of a railroad track in certain streets and avenues, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act for the relief of Catharine Storms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Stephen Van Alstine for canal damages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of Jacob Fonda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act to provide for the construction of a culvert under the Champlain canal, in the town of Stillwater, Saratoga county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to prevent the sale of impure, adulterated, or swill milk, and provide for the punishment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to repeal a certain part of section 3, chapter 213 of Laws of 1860, entitled 'An act to provide means for the completion of the canals

of this State, and fully supply them with water, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The Assembly returned the bill entitled "An act to incorporate the Poughkeepsie Gymnasium," with a message that they had concurred in the passage of the same with the following amendment:

Section 2, strike out the words, "and such property shall not be liable to taxation."

Mr. Ketcham moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Munroe	Rotch
Blood	Grant	Lawrence	P. P. Murphy	Sessions
Connolly	Hillhouse	Manierre	Prosser	Truman
Ferry	Ketcham	Montgomery	Ramsey	Warner

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government."

Mr. Warner moved to postpone said special order for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. P. P. Murphy, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Truman moved that said bill be made the special order for half-past three o'clock, this afternoon.

The Assembly returned the following entitled bill:

"An act to incorporate the Poughkeepsie Gymnasium."

Ordered, That the Clerk deliver said bill to the Governor.

A message was received and read from his Excellency the Governor, by the hands of his private secretary, in the words following, to wit:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 8, 1861.

TO THE SENATE: I am constrained to withhold my approval from the bill which originated in your honorable body, entitled "An act to facilitate the construction of the Albany and Susquehanna railroad."

This bill proposes to donate to the corporation named, the sum of five hundred thousand dollars; one half payable on the completion and equipment of thirty miles of their road, and the remainder when forty additional miles thereof shall have been put in operation.

To meet the required sums, a tax of three-sixteenths of a mill on each dollar of the valuation of the real and personal property of this State, is imposed for each of the fiscal years commencing on the first day of October, in 1861 and 1862. If the tax thus imposed produces more than five hundred thousand dollars, the additional amount so realized is to be paid to the company in aggregation of the second instalment.

These are, substantially, the provisions of the bill; and, in so far as it provides the means for the payment of the demands it creates upon the treasury, it obviates a defect which existed in the bills passed in aid of the same corporation by previous Legislatures.

In assigning my reasons for withholding my assent from the bills passed at the last and the preceding sessions "to facilitate the construction of the Albany and Susquehanna railroad," the conviction was distinctly expressed that, such a donation of the public money as was therein made, fell clearly within the requirement of section nine, article first of the Constitution, which declares that "the assent of two-thirds of the members elected to each branch of the Legislature, shall be requisite to every bill appropriating the public moneys or property for local or private purposes." Upon both occasions it was stated that the bills "lacked the constitutional vote necessary to give them vitality," inasmuch as they had not, in either instance, received "the assent of two-thirds of the members elected to each branch of the Legislature." At the same time I stated that it was "within the power of the two houses to obviate this palpable objection to the bill under consideration, by conforming their action to the requirements of the Constitution in the particular mentioned." The objections urged were sustained by the Legislature on each of the occasions referred to.

I call attention to these facts to show that there has been no concealment of my views on this point of constitutional construction; and especially because the bill herewith returned comes to me with the certificate of the presiding officers in both branches of the Legislature, showing it to have been passed by the concurrence of a "majority of the members elected to each house, three-fifths being present." Having, therefore, received but a majority of affirmative votes, and not two-thirds, my objection applies with the same force against the present as against the former bills for the same object, in this respect.

Since the bill was delivered to me, I have carefully examined the precedents and impartially weighed the arguments submitted for my consideration, and zealously urged by those whose views, in this regard, differ from my own. But it is sufficient for me to say, that my convictions on this point have undergone no modification. On the contrary, reflection has but served to deepen them; and, hence, no alternative remains to me save either to violate the dictates of my judgment and conscience, or to withhold my signature from the bill.

In deciding upon the latter course, I claim only the same right of judgment which I freely concede to others. I admit as readily as any person can, the claims of the section through which this road is to be constructed, to a participation in the bounty of the State. Whilst I am frank to admit that, in view of the existing posture of public affairs, I cannot regard the present as an auspicious time in which to prosecute new works of improvement, or to add to the already heavy burthens of tax-payers, I could yet waive my views of mere policy in deference to the wishes of the representatives of the people in the co-ordinate branches of the Legislature. But, when the question involved, is one of constitutional duty, and of fealty to that oath which places the requirements of the Constitution above all considerations of utility or precedent, I can see but one path of duty, and that is obedience to conscientious convictions.

These convictions, heretofore repeatedly expressed, must govern my action on the present occasion. Regarding the bill now returned, as appropriating the public money for a local and private purpose, in donating five hundred thousand dollars to the Albany and Susquehanna railroad company, without having "received the assent of two-thirds of the members elected to each branch of the Legislature," as required by article first, section nine of the Constitution, my signature is withheld therefrom, and it is returned to the Senate, with these my objections.

E. D. MORGAN.

The message having been read, Mr. Fiero moved that it be laid on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A further message was received and read from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 8, 1861.

TO THE SENATE: I approved the bills bearing the following titles, at the dates respectively named, to wit:

- March 6. "An act authorizing the board of supervisors of the county of Rensselaer to raise money to build a bridge in the town of Hoosick, in said county."
9. "An act to confirm an agreement between the Brooklyn City railroad company and the Brooklyn Central and Jamaica railroad company."
9. "An act to amend chapter 181 of the Laws of 1860, entitled 'An act to amend the act entitled 'An act to amend the several acts incorporating the village of Owego, in the county of Tioga,' passed April 9, 1851.'"
11. "An act to incorporate the veterans of the National Guard, Seventh regiment first division New York State militia."
12. "An act to authorize the procuring of places for holding courts in the city and county of New York."
12. "An act to amend an act entitled 'An act to authorize the board of supervisors of the county of Westchester to purchase the Rapelyea or Pelham bridge,' passed April 5, 1860."
13. "An act to repeal chapter 189 of the laws of 1860, being 'An act to extend the term of office of the supervisors of Niagara county.'"
13. "An act to amend an act passed February 18, 1860, entitled 'An act to facilitate the completion of the Lake Ontario and Hudson River railroad.'"
13. "An act to incorporate the Eclectic Association, in the city of New York."
13. "An act to confirm the acts of M. M. Olmstead, as superintendent of the poor of Cayuga county."
13. "An act authorizing the Brockport and Clarkson plankroad company to reduce the number of directors from nine to five."
13. "An act to amend the charter of the village of Ogdensburgh."
14. "An act to legalize the official acts of Orson Ames, Loren Goulding and John Sayles, as superintendents of the poor in Oswego county."
15. "An act to amend chapter 606 of the laws of 1857."
15. "An act to fix the corporate name of Hobart College, and to confirm the acts of the trustees thereof."
16. "An act to authorize the town of Ossining, in the county of Westchester, State of New York, to raise money by bond."
18. "An act to amend the several acts incorporating or relating to the village of Elbridge."
19. "An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens."
19. "An act to authorize the laying out of a public highway in the towns of Jamaica and Flushing, in the county of Queens."

- Mar'h 19. "An act to incorporate the Female Academy of the Sacred Heart, Albany."
19. "An act to authorize the leasing or sale and conveyance of the real estate of benevolent, charitable, scientific, missionary societies and orphan asylums."
19. "An act to amend the charter of the Poughkeepsie and New Paltz ferry company."
19. "An act to establish free schools in the village of Ithaca."
20. "An act to extend the jail limits of the county of Erie."
21. "An act to incorporate the village of Panama."
21. "An act for the removal of insane convicts from the State Lunatic Asylum at Utica, to the State Lunatic Asylum for Insane Convicts, at Auburn."
21. "An act making appropriations for the canal debt, and the maintenance of the canals for the fiscal year commencing on the first day of October, 1861."
21. "An act for the relief of the New York State Inebriate Asylum, and for other purposes."
26. "An act to incorporate the University of Brooklyn."
26. "An act for the relief of Jacob Houck and Catharine Ann Houck."
26. "An act to provide for the construction of sidewalks, in the village of Masonville, in Delaware county."
26. "An act to amend an act entitled 'An act to elect overseers of highways in the town of Greenburgh, Westchester county, by districts.'"
26. "An act to revise and extend the charter of the New York Mills fire company."
26. "An act to amend an act entitled 'An act to incorporate the Queens County savings bank,' passed April 14, 1859."
26. "An act to incorporate the Veteran Scott Life Guard."
26. "An act making the territory comprised within the boundaries of the city of Poughkeepsie the jail liberties of the county of Dutchess."
26. "An act relating to the Lutheran Cemetery, in the town and county of Schoharie, belonging to the corporation of Saint Paul's Lutheran Church, in said town."
26. "An act to constitute the village of Hannibal, in the county of Oswego, a separate road district."
26. "An act to amend an act entitled 'An act to declare the village of Cuba a separate road district, and to provide for raising money by tax therein for highways and sidewalks, and to compel owners of property therein to build sidewalks, and for other purposes,' passed April 16, 1859."
26. "An act in relation to the presentation of the reports of the county officers of Westchester county, and to the presentation of bills and petitions to the board of supervisors of said county, requiring the appropriation of money."
26. "An act to enable the commissioners of highways of the town of Ellicott, in the county of Chautauqua, to ascertain the boundaries of the highways in said town, and to make a record of the same."
26. "An act to provide for the superintendent of the poor of the county of Livingston being keeper of the poor house of said county."

- Mar'h 26. "An act to amend an act authorizing the formation of town insurance companies, passed April 17, 1857."
26. "An act to amend an act entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the county of Westchester,' passed April 16, 1860."
26. "An act to amend the act entitled 'An act to incorporate the village of Jordan,' passed May 2, 1835, and the acts amendatory thereof."
26. "An act in relation to the auditing of accounts by the boards of supervisors of the counties of Onondaga, Tioga, Oneida, Fulton, Monroe, Broome, Delaware, Cayuga, Orange, Jefferson, Richmond, Livingston, Chenango, Suffolk, Ulster, Dutchess, Steuben and Niagara, and the duties of certain officers of said counties in connection therewith."
26. "An act in relation to the district attorney of the county of Chautauqua, and to amend an act entitled 'An act authorizing the district attorney of Chautauqua county to appoint an assistant,' passed April 14, 1857."
26. "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the Buffalo water works company,' passed March 15, 1849."
26. "An act authorizing and providing for the transfer of certain actions and proceedings, from the city court of Brooklyn, to the Supreme Court."
26. "An act to incorporate the Mazeppa fire engine company No. 2, of Nyack, Orangetown, Rockland county, State of New York."
27. "An act to amend an act entitled 'An act to amend an act for the regulation and government of the Central park, in the city of New York, passed April 17, 1857, and further to provide for the maintenance and government of said park,' passed April 15, 1859, and further to provide for the construction, maintenance and government of the said park."
27. "An act for the relief of Maria Murphy and the heirs of Francis Kerrigan, deceased."
27. "An act to amend an act entitled 'An act to incorporate the Society for the education of poor children and the relief of indigent persons of the Jewish persuasion,' passed April 11, 1831."
27. "An act to repeal section 8 of chapter 178 of an act entitled 'An act in relation to highways in the counties of Hamilton, Herkimer and Fulton,' passed April 18, 1843, so far as it relates to the county of Fulton."
27. "An act in relation to inland navigation insurance companies."
27. "An act to amend the charter of the Great Western insurance company."
27. "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847."
27. "An act further to amend an act to facilitate the forming of agricultural and horticultural societies, passed April 18, 1855."
27. "An act to authorize courts of sessions to transfer certain cases to the Oyer and Terminer, and to supply the place of disqualified members of such courts."

- March 29. "An act to consolidate and amend the several acts relating to the transmission to the office of the Secretary of State, by clerks of courts and sheriffs, of records of conviction and certain other statistical information, as now required by law."
30. "An act authorizing the re-conveyance of lots in the Forest Lawn cemetery, of the city of Buffalo."
30. "An act to provide for draining Deer Ridge, or Wine Creek swamp, in the town of Scriba, in the county of Oswego."
30. "An act to authorize the common council of the city of Hudson to assess the balance of moneys uncollected, for the construction of a sewer in said city."
30. "An act in relation to the capital stock of the Elmira umbrella manufacturing company."
30. "An act to authorize the Commissioners of the Canal Fund to invest a portion of the Canal Debt Sinking Fund in the tax to be levied and collected for the enlargement and completion of the canal."
30. "An act for the relief of the Union free school of district No. 9, in the town of Lenox."
30. "An act authorizing the trustees of the village of Hornellsville, to permit the erection of gas works and laying pipes for the same, in said village."
30. "An act to amend the charter of the New York and Flushing railroad company."
30. "An act granting certain privileges to the South Side railroad company, of Long Island."
30. "An act for the relief of Mason A. Burdick."
30. "An act to amend an act entitled 'An act making certain portions of the counties of Fulton and Hamilton a road district, and applying the non-resident highway taxes to the construction of the roads therein,' passed April 15, 1858, chapter 249, and to increase the powers of the commissioners appointed therein."
30. "An act relative to the provisions of an act entitled 'An act to authorize the formation of a turnpike road company, in the town of Newtown, Queens county,' passed April 16, 1857."
30. "An act to provide for the application of highway labor on the Gilboa and Potters' Hollow turnpike."
30. "An act to authorize the trustees of Gorham cemetery to include in their original plot of ground the old burying ground lying adjacent thereto."
30. "An act relating to boards of health in the county of Columbia."
30. "An act for the confirmation of the title of the Baptist Church and Society of Hoosick, in the county of Rensselaer."
30. "An act to repeal section 3 of an act in relation to the village of Hempstead, in the county of Queens, passed March 3, 1856, and for other purposes."
30. "An act to incorporate the village of Richfield Springs, in the county of Otsego."
30. "An act to amend an act entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,' passed June 14, 1853."
30. "An act to incorporate the Panama fair ground company."

- April 2. "An act giving the consent of the State of New York to the purchase, by the United States, of land in the city of New York, for the purpose of a post office."
2. "An act in addition to an act relating to the foreclosure and sale of the New York and Erie railroad, passed April 4, 1860."
 3. "An act to legalize certain proceedings of the Ripley Fire insurance company."
 3. "An act to authorize the Genesee County bank to reduce its capital stock."
 3. "An act authorizing the trustees of school district No. 21, of the town of Huntington, in the county of Suffolk, to raise money by tax."
 3. "An act in relation to a general index of the records in the office of the surrogate of Rensselaer county."
 3. "An act concerning the navigation of the canals and the collection of tolls."
 3. "An act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village."
 3. "An act to authorize the election of one overseer of the poor in the town of Saugerties, Ulster county."
 3. "An act to amend section 1, title 5, chapter 20 of the first part of the Revised Statutes."
 3. "An act to amend an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereto, so far as they relate to the village of Corning, in the county of Steuben."
 3. "An act for the better regulation of a road in Bethlehem, Albany county."
 3. "An act to incorporate the Bellevue hospital medical college of the city of New York, of the State of New York."
 3. "An act supplementary to an act passed April 16, 1860, to provide for rebuilding a bridge in the village of Adams, Jefferson county, and for raising money by tax for that purpose upon the town of Adams, in said county."
 3. "An act to release the interest of the State in certain lands of which Caspar Barnhardt died seized, to Marian Barnhardt."
 3. "An act to authorize the Chautauqua Central plankroad company to sell and convey their road."
 3. "An act to amend chapter 206 of the laws of 1858, entitled 'An act for the relief of the Onondaga tribe of Indians,' passed April 14, 1858."
 4. "An act to amend an act entitled 'An act to incorporate the fire department of the village of Watertown,' passed April 10, 1850, and an act amendatory thereto, passed April 14, 1859."
 5. "An act to amend an act entitled 'An act to amend an act entitled An act in relation to sewerage and drainage in the city of Brooklyn,' passed April 15, 1857, passed April 16, 1859."
 5. "An act to empower Master's Lodge No. 5, of Free and Accepted Masons, in the city of Albany, to hold and convey real estate."

- April 6. "An act to authorize the supervisor of the town of Aurora, in the county of Erie, to borrow the sum of \$3,000, for the purpose of building bridges in said town."
6. "An act to amend an act entitled 'An act authorizing the appraisal and payment of canal damages to Charles B. Thomson, and Hiram Hascall,' passed April 19, 1858."
6. "An act to assess upon the town of Angelica, in the county of Allegany, a portion of the expenses incurred in repairing the court house located in said town."
6. "An act to relieve the Seneca nation of Indians by preferring certain causes on the calendar of the Court of Appeals."
6. "An act to amend an act entitled 'An act to incorporate the New York Corn Exchange,' passed April 2, 1853."

E. D. MORGAN.

By unanimous consent, Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Williams, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act requiring foreign insurance companies to make and file annual statements of their condition and affairs," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Geddes, in the county of Onondaga," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lawrence, from the minority of the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm the grants of street railways in the city of Buffalo, and to confer upon the common council of that city power to make ordinances respecting the same," reported in writing, and adversely thereto, as follows:

That it is a remarkable fact that no petition has been presented for the passage of this act, whilst remonstrances against it numerously signed by parties whose interests are to be affected, have been brought to the attention of the committee. Among these remonstrances are a majority of the common council of the city of Buffalo. This expression of opinion upon the part of persons interested, as well as on the part of those to whom the people of Buffalo have committed the charge and care of their municipal affairs, ought to be conclusive against the passage of this act.

In addition thereto, grave legal questions arise in regard to the proposed measure. It was in evidence before your committee, that the proposed extension of the line of railroad is intended to pass for a considerable distance

over the track of the Buffalo and Williamsville McAdam road company, an incorporated company, the free and unobstructed use of whose road is needed by the traveling public, and is of essential convenience to them.

No provision is made in the act for compensation to this company; but it is proposed to take their track by a high handed piece of legislation, and thus deprive them of the property for which they have paid, and the right to use which the Legislature guaranteed to them by their charter; and also to deprive the citizens at large of the conveniences afforded by this road.

It is believed that no such unconstitutional measure, so detrimental to the public accommodation, will meet the sanction of the Senate of this State.

It was also alleged before the committee, and uncontradicted, that the main intent of this act was to enable the railroad company to run their cars to a grove immediately in the rear of the Buffalo city Cemetery, known as "Forest Lawn." This grove has been leased by the owners of these roads for ten years; and although they have violated the provisions of their lease, and their term is but for ten years, it is sought by this act to make their use substantially, of this grove perpetual, although the owner strongly remonstrates against the passage of the act.

The impropriety of terminating a city railroad running on the Sabbath, at the immediate vicinity of a large cemetery, carefully laid out and ornamented with shrubbery and flowers, must be evident to every person who has seen the ruthlessness with which large crowds of people pluck and carry off these ornaments of public places.

The undersigned therefore recommends that the bill do not pass.

EDWARD A. LAWRENCE.

The hour of fifteen minutes to two having arrived, the Senate took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met.

By unanimous consent, Mr. Munroe moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to amend the act entitled 'An act to provide for the payment of interest on certain canal drafts, certificates and awards, for damages,' passed April 17, 1860," and that the same be recommitted to the committee on canals, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Manierre moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds' therefor," and that it be referred to a select committee consisting of the New York delegation and the committee on the incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Colvin moved that the Assembly bill entitled "An act to amend the Revised Statutes in relation to trials by jury," be recommitted to the committee on the judiciary, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government."

After some time spent therein, the President resumed the chair, and announced that the hour of six o'clock having arrived, the Senate would stand adjourned until to-morrow morning at 10 o'clock.

TUESDAY, APRIL 9, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Palmer.

The journal of yesterday was read and approved.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act in relation to schools in the village of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act for the relief of Noone and Fitzgerald," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of the owners of land taken by the corporation of the city of Brooklyn for the opening of Mount Prospect square," which was read the first time, and by unanimous consent was also read the second time.

Mr. Gardiner moved that said bill be referred to the delegation from the county of Kings.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860," which was read the first time, and by unanimous consent was also read the second time.

Mr. Spinola moved that said bill be referred to the delegation from the county of Kings.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act to provide for opening Franklin street and other streets and avenues in the Seventeenth ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act to authorize the town of West Farms to macadamize a public road in said town,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act providing for the amendment of the charter of the city of New York, and for the submission of the same to the people thereof," which was read the first time, and by unanimous consent was also read the second time.

Mr. Connolly moved that said bill be referred to the delegation from the

city and county of New York, and the committee on the incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

"An act authorizing the Buffalo General Hospital to take and hold real estate, and to sell or lease the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act authorizing the Hudson West Shore railroad company to extend their road from the village of Nyack to the village of Warren," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street in said city,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time.

Mr. Gardiner moved that said bill be referred to the delegation from the county of Kings.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly returned the bill entitled "An act to authorize and empower the board of supervisors of the county of Greene to divide and apportion certain excise money among the several towns of said county," with a message that they had concurred in the passage of the same, with the following amendment:

Strike out section 1, and insert the following in lieu thereof:

"Sec. 1. The supervisors of the county of Greene are hereby authorized and empowered, at each annual session, to divide and apportion among each town of said county, as they may deem right and just, all surplus excise moneys remaining in the treasury of said county after deducting what is necessary for the support of the poor, in said county, and also the ten per cent for the State Inebriate Asylum."

Mr. Fiero moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	McGraw	J. M. Murphy	Robertson	
Bell	Hammond	Manierre	Prosser	Sessions	
Colvin	Lapham	Montgomery	Ramsey	Truman	
Connolly	Lawrence	Munroe	Richmond	Warner	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to authorize the board of supervisors of the county of Lewis to raise \$2,550 upon the taxable property of the town of Lowville."

"An act providing for the appointment of an additional number of notaries public in the city and county of New York."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the following entitled bill:

"An act to authorize and empower the board of supervisors of the county of Greene to divide and apportion certain excise moneys among the several towns of said county."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government."

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met.

The President announced the special order, being the Assembly bill entitled as follows:

"An act making appropriations for certain expenses of government."

Mr. Robertson moved to postpone said special order for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the bill entitled "An act to amend an act concerning the proof of wills, executors and administrators, guardians and wards, and surrogates' courts," passed May 16, 1857," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Oneida Castle," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss presented four several petitions of citizens of the city of Rochester, in favor of a horse railroad in said city, which were read and referred to the committee on the incorporation of cities and villages.

Also, a remonstrance of citizens of Rochester, against a horse railroad in said city, which was read and referred to the committee on the incorporation of cities and villages.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to encourage the construction of side walks in Unadilla,' chapter 342 of the Laws of 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to enlarge the powers of trustees of the village of Jamestown, Chautauqua county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorize the trustees of the village of Olean to open Hamilton street, in said village," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend the Revised Statutes in relation to trials by jury," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Warner, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the Hudson West Shore railroad company to extend their road from the village of Nyack to the village of Warren," reported in favor of the passage of the same, with amendments.

On motion of Mr. Robertson and by unanimous consent, the rules were suspended and said bill was recommitted to the same committee, to report complete.

Mr. Munroe from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Seneca Falls Savings bank, at Seneca Falls, New York," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Market Savings bank of Troy," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Stephen Van Alstyne for canal damages," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Salmon Butts," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Walter R. Milliken," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Albert H. King," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend chapter 372 of Laws of 1860, to authorize the corporation of the city of New York to borrow a further sum of money to increase the supply of Croton water, and to extend the necessary works for the same," reported in favor of the passage of the same.

On motion of Mr. Manierre and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act in relation to the construction of cross and side walks in the village of Forestville,"

with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo and enlarge its boundaries, passed April 13, 1853,' and the several acts amendatory thereof," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Gilbert Wolven," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Jacob Fonda," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was recommitted the Assembly bill entitled "An act for the relief of Hannah Russell," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to prevent the sale of impure, adulterated or swill milk, and provide for the punishment thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the town of West Farms, to macadamize a public road in said town,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham moved that the Assembly bill entitled "An act to supply Sing Sing prison with Croton water," be referred to the first committee of the whole, not full.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to repeal a certain part of section 3, chapter 213 of Laws of 1860, entitled 'An act to provide means for the completion of the canals of this State, and fully supply them with water, and for other purposes,' reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction and maintenance of a bridge over the Genesee Valley canal, at Atkinson street, in the city of Rochester," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to provide for the construction of a culvert under the Champlain canal, in the town of Stillwater, Saratoga county," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to drain and restore lands overflowed by back-water from Black Rock harbor, and the draining of Skajaquoday creek, in the city of Buffalo," reported in

favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to provide for the payment of interest on certain canal drafts, certificates and awards, for damages,' passed April 17, 1860," with power to report complete, reported the same complete.

Mr. Truman moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to schools in the village of Binghamton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lawrence, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to widen Main street, in the city of Brooklyn," reported the same to the Senate for its consideration, and said bill was committed to the committee of the whole.

Mr. Grant, from the select committee appointed to investigate charges against certain Harbor Masters of the city of New York, reported in writing, and in favor of the adoption of the following resolutions :

Resolved, That as charges of gross intemperance and habitual drunkenness, receiving illegal fees, neglect of duty, and abuse of trust, have been established against Harbor Master John S. Anable, that a respectful message be communicated to the Executive of the State, requesting his immediate removal from office.

Resolved, That the entire testimony be submitted for the consideration and action of the Senate.

Resolved, That the select committee appointed to investigate charges of malfeasance in office, made against New York Harbor Masters, be authorized (if in their judgment the best interests of the State demand it,) to continue and conclude their investigation during the recess of the Legislature, and extend the same to the examination of charges against the Port Wardens of the port of New York ; and that said committee have power to send for persons and papers, and furnish an early report to the Governor of the State, and the next Legislature.

The report was laid on the table and ordered printed.

(See Doc. No. 88.)

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bills entitled as follows :

"An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York."

"An act ceding jurisdiction to the United States over lands to be occupied as sites of fortifications, and their appurtenances, within this State."

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to organize a fire department and board of fire commissioners, in and for the city of Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act in addition to and in amendment of an act entitled 'An act to provide for the payment of certain claims against the city of Brooklyn,' passed April 7, 1859," reported in favor of the passage of the same.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, pending at the hour of taking a recess, being the Assembly bill entitled as follows :

"An act making appropriations for certain expenses of government."

After some time spent therein, the President resumed the chair, and Mr. Fiero, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham moved that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Clerk was proceeding to the third reading of said bill, when

Mr. Ramsey moved to recommit to the committee on finance, with instructions to amend by striking out the following :

"To Horatio Seymour, William H. Ferry and William Lewis, to be expended by their order for the erection of a monument over the grave of the late Baron Steuben, the sum of \$500."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Ramsey	Truman	
Blood	Gardiner	Lapham	Rotch	Warner	
Colvin	Hammond	Prosser			18

FOR THE NEGATIVE.

Abell	Grant	Manierre	P. P. Murphy	Sessions	
Connolly	Hillhouse	Montgomery	Richmond	Spinola	
Ferry	Kelly	Munroe	Robertson	Williams	
Goss	McGraw	J. M. Murphy			18

Mr. Bell moved to recommit with instructions to amend by inserting the following :

"To Michael Conklin, for services rendered at Quarantine by the steam propeller 'Rescue,' under orders of the health officer, the sum of \$4,865, if, in the opinion of the Comptroller and Attorney General, the State is legally liable to pay the same."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	J. M. Murphy	Rotch	
Colvin	Hillhouse	Munroe	Robertson	Williams	
Connolly	Ketcham				12

FOR THE NEGATIVE.

Abell	Grant	Manierre	Prosser	Sessions	
Blood	Hammond	Montgomery	Ramsey	Spinola	
Fiero	Kelly	P. P. Murphy	Richmond	Truman	
Gardiner	Lapham				17

Mr. Grant moved to recommit with instructions to amend by striking out the following :

"To E. B. O'Callaghan, for the preparation of the index to the Colonial History of the State of New York, pursuant to the provisions of chapter 81 of the Laws of 1858, the sum of \$2,250 ; and to Thomas McLaughlin, for assisting in the preparation of the said index, the sum of \$1,200 ; both of the aforesaid amounts to be full compensation for the said service, and to be paid on the certificate of the Regents of the University, stating the

amounts which are justly due them, at the rate of compensation heretofore paid for the editing the Colonial History of the State.

"For supervising the printing and for correcting the proof sheets of the index to the Colonial History of the State of New York, and for necessary assistance in the same, the sum of \$1,150, to be paid on the certificate of the Regents of the University, for service actually performed, to the satisfaction of the said Regents, as full and entire compensation for the performance of such service."

And insert in lieu thereof, the following :

"To E. B. O'Callaghan, the sum of \$8,000, for preparing the index of the Colonial History of the State of New York, to be paid when said index is completed, to the satisfaction of the Regents of the University, and to be in full compensation for preparing said index for publication."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hillhouse, from the committee on finance, reported the bill back with amendment, as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Lapham	P. P. Murphy	Rotch
Colvin	Hillhouse	Manierre	Prosser	Sessions
Gardiner	Kelly	Munroe	Ramsey	Spinola
Goss	Ketcham	J. M. Murphy	Richmond	

19

FOR THE NEGATIVE.

Bell	Ferry	Grant	Montgomery	Truman
Blood	Fiero	McGraw	Robertson	Williams
Connolly				

11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Colvin moved to reconsider the vote on said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Prosser moved to reconsider the vote on the Assembly bill entitled "An act in relation to the Auditor of the Canal Department."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	McGraw	Prosser	Rotch
Bell	Hammond	Manierre	Ramsey	Sessions
Blood	Hillhouse	Munroe	Richmond	Truman
Connolly	Kelly	P. P. Murphy	Robertson	Williams
Fiero	Ketcham			

22

On motion of Mr. Prosser and by unanimous consent, said bill was amended by restoring the 4th section of the engrossed bill, struck out in committee of the whole, in the words following :

"§ 4. The Auditor of the Canal Department, shall hold his office for the term of three years from the time of his appointment. He shall receive an annual salary of \$2,500, commencing on the first day of October last, in respect to the present incumbent, to be paid monthly out of the Canal Fund."

Mr. Prosser moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Abell, from the committee on railroads, to which was referred the Assembly bill entitled "An act authorizing the Hudson West Shore railroad company to extend their road from the village of Nyack to the village of Warren," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. J. M. Murphy presented the annual report of the Trustees of the State Library, which was laid on the table and ordered printed.

(See Doc. No. 64.)

Mr. J. M. Murphy offered the following resolution:

Resolved, That 1,000 extra copies of the report of the Trustees of the State Library, be printed for the use of the Trustees, and 1,000 for the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

The hour of six o'clock having arrived, the President declared the Senate adjourned.

WEDNESDAY, APRIL 10, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Rawson.

The journal of yesterday was read and approved.

Mr. Bell, from the select committee of eight, reported the following entitled Assembly bills as proper to be taken from the general orders and re-committed to the committees reporting them, to report complete, to wit:

"An act to organize a fire department and board of fire commissioners, in and for the city of Troy."

"An act for the relief of Hannah Russell."

"An act to incorporate the Seneca Falls Savings Bank at Seneca Falls, New York."

"An act to widen Main street in the city of Brooklyn."

"An act in relation to schools in the village of Binghamton."

"An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county."

"An act to incorporate 'The Tompkinsville Fire Police company,' of the village of Tompkinsville, town of Castleton, Richmond county."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be re-committed to the standing committees reporting them, with power to report complete.

Mr. Colvin presented a remonstrance of Jacob H. Ten Eyck, Erastus Corning and others, against the passage of the bill allowing the Albany and Vermont Central railroad company, and the Rensselaer and Saratoga railroad company, to abandon any portion of their road, which was read and committed to the committee of the whole.

Mr. Blood presented two petitions of citizens of Waterford, Saratoga county, in favor of said bill, which were read and committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate, to the following entitled bill:

"An act to revise, amend and consolidate the several acts relating to the village of Sag Harbor."

Ordered, That the Clerk return said bill to the Assembly.

Mr. J. M. Murphy, from a majority of the committee on literature, to which was referred the Assembly bill entitled "An act to aid the Troy University," reported the same for the consideration of the Senate.

Mr. Sessions, from the minority of the committee on literature, to which was referred the Assembly bill entitled "An act to aid the Troy University," reported adversely thereto.

Mr. Sessions moved to substitute the minority for the majority report.

Mr. Truman moved to lay the whole subject on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hillhouse	Montgomery	Robertson	Warner	
Grant	Lapham	P. P. Murphy	Truman	Williams	
Hammond					11

FOR THE NEGATIVE.

Abell	Fiero	McGraw	Prosser	Rotch	
Colvin	Kelly	Manierre	Ramsey	Sessions	
Connolly	Lawrence	J. M. Murphy	Richmond	Spinola	
Ferry					16

Pending the question on said motion of Mr. Sessions, the hour of 12 o'clock having arrived, the President announced that the Senate would go into executive session.

Mr. Spinola moved that the executive session be postponed for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The Senate then went into executive session, and after some time spent therein, the hour of fifteen minutes to two having arrived, the President announced that the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met, and went into executive session.

After some time spent therein, the doors were opened, and legislative business resumed.

The Senate then resumed the consideration of the question pending at the hour of going into executive session, being the motion of Mr. Sessions to substitute the minority for the majority report on the Assembly bill entitled as follows :

"An act for the relief of the Troy University."

The President put the question whether the Senate would agree to said motion of Mr. Sessions, when the vote was as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Hillhouse	Montgomery	Truman	
Ferry	Grant	Lapham	P. P. Murphy	Warner	
Fiero	Hammond	Lawrence	Sessions		14

FOR THE NEGATIVE.

Abell	Gardiner	Manierre	Ramsey	Spinola	
Blood	Ketcham	J. M. Murphy	Richmond	Williams	
Colvin	McGraw	Prosser	Robertson		14

The President voted in the affirmative, and declared the motion carried.

Mr. Spinola moved to reconsider the vote just taken.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	McGraw	Ramsey	Spinola	
Colvin	Kelly	Manierre	Richmond	Williams	
Gardiner	Ketcham	J. M. Murphy	Robertson		14

FOR THE NEGATIVE.

Abell	Fiero	Hillhouse	Montgomery	Sessions	
Bell	Grant	Lapham	P. P. Murphy	Truman	
Ferry	Hammond	Lawrence	Prosser	Warner	15

The President then put the question whether the Senate would agree to the report of the committee, as amended, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	P. P. Murphy	Truman	
Ferry	Hammond	Lawrence	Prosser	Warner	
Fiero	Hillhouse	Montgomery	Sessions	Williams	
Goss					16

FOR THE NEGATIVE.

Abell	Gardiner	McGraw	Ramsey	Robertson	
Blood	Kelly	Manierre	Richmond	Spinola	
Colvin	Ketcham	J. M. Murphy			13

And said bill was rejected.

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have non-concurred in the passage of the same.

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government," with a message that they had non-concurred in the amendments of the Senate thereto, and request a committee of conference thereon.

Mr. Hillhouse moved that the Senate consent to a committee of conference.

Mr. Sessions moved to amend by adding, "and that said committee consist of five members."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Hillhouse, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have consented to a committee of conference.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill :

"An act in relation to the Erie, Oswego, Cayuga and Seneca canals."

The Assembly returned the bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," together with the following resolutions :

"*Resolved*. That the House non-concur in the amendment of the Senate to said bill.

"*Resolved*, That the Assembly request a committee of conference on the disagreeing votes of the two Houses on said bill ; and

"*Ordered*, That Messrs. Pierce, Bolles, Bergen, Macomber and Webster, be such committee on the part of the Assembly."

Mr. Fiero moved that the Senate consent to a committee of conference.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have consented to a committee of conference.

The Assembly returned the bill entitled "An act relative to local improvements in the city of Brooklyn," with a message that they had concurred in the passage of the same, with the following amendments:

In the last line of section 5, engrossed bill, strike out the word "two-thirds," and insert in lieu thereof the word "one-half."

In lines 2 and 3, of section 9, strike out the words "common council," and insert in lieu thereof the words "Commissioners of the Sinking Fund."

Same section, after the word "thereon" in line 7, strike out all down to and including the word "issued" in the 11th line, and insert in lieu thereof the words following: "said commissioners are hereby authorized and empowered to fix and determine the amount of principal and interest due on each of said certificates, and shall report the same to the common council of said city."

After the word "section" in line 7, insert as follows: "and the amounts when received, shall be paid over to the Commissioners of the Sinking Fund, for the redemption of said bonds."

Mr. Spinola moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Montgomery	Ramsey
Bell	Hammond	Lapham	J. M. Murphy	Richmond
Blood	Hillhouse	Lawrence	P. P. Murphy	Sessions
Connolly	Kelly	McGraw	Prosser	Truman
Fiero				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Gardiner, from the minority of the committee on agriculture, to which was referred the Assembly bill entitled "An act to prevent the sale of impure, adulterated, or swill milk, and provide for the punishment thereof," reported in writing, adversely thereto, which report was laid on the table and ordered printed.

(See Doc. No. 67.)

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to John W. Vanderbosch," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Catharine Storms," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Hannah Russell," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Sarah D. Eyerson," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Franklin W. Whitlock," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of Noone and Fitzgerald," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorizing the Buffalo General Hospital to take and hold real estate, and to sell or lease the same," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to authorize the incorporation of juvenile reformatory asylums," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend chapter 872 of the Laws of 1860, entitled 'An act to authorize the corporation of the city of New York to borrow a further sum of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,' " with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages to which was referred the Assembly bill entitled "An act in addition to and in amendment of an act entitled 'An act to provide for the payment of certain claims against the city of Brooklyn,' passed April 7, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to organize a fire department and board of fire commissioners in and for the city of Troy," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to schools in the village of Binghamton," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act entitled an act to amend an act concerning the proof of wills, executors and administrators, guardians, and wards, and surrogate courts, passed May 16, 1837."

Mr. Ramsey, from the committee on the erection and division of towns and counties, to which was referred the Assembly bill entitled "An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Spinola, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Spinola, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to

amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street, in said city,' passed April 17, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Spiniola, from the majority of the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act for the relief of the owners of land taken by the corporation of the city of Brooklyn for the opening of Mount Prospect square," reported the same to the Senate, with amendments, for its consideration, and said bill was committed to the committee of the whole.

Mr. Gardiner, from the minority of the same committee, reported in writing, and adversely to the passage of said bill.

(See Doc. No. 66.)

The President presented a communication from John A. King, Wm. Curtis Noyes, A. B. James, James S. Wadsworth and James C. Smith, Commissioners to the Convention of States at Washington, in reply to the statement of David Dudley Field, which was laid on the table and ordered printed.

(See Doc. No. 65.)

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed April 12, 1860; three-fifths being present," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act to lay out a public park and a parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the Kings county delegation.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act making appropriations for the support of government for the fiscal year commencing on the first day of October, one thousand eight hundred and sixty-one."

"An act to incorporate the New York Volunteers' Burial and Monumental Association."

"An act to alter the commissioners' map of the city of Brooklyn."

Ordered, That the Clerk return said bills to the Assembly.

The bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	J. M. Murphy	Spiniola
Bell	Fiero	Lapham	Prosser	Truman
Blood	Goss	Lawrence	Ramsey	Warner
Colvin	Hammond	Manierre	Sessions	Williams
Connolly	Hillhouse	Montgomery		

23

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to amend the charter of the village of Oneida Castle," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	McGraw	Prosser	Sessions	
Bell	Goss	Manierre	Ramsey	Truman	
Blood	Kelly	Montgomery	Richmond	Warner	
Connolly	Ketcham	P. P. Murphy	Robertson	Williams	
Ferry	Lawrence				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the Auditor of the Canal Department," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	P. P. Murphy	Sessions	
Bell	Hillhouse	Manierre	Prosser	Truman	
Ferry	Kelly	Montgomery	Ramsey	Warner	
Goss	Lapham	J. M. Murphy	Richmond	Williams	20

FOR THE NEGATIVE.

Grant	Ketcham				2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Market Savings Bank of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Ketcham	J. M. Murphy	Spinola	
Bell	Grant	Lapham	Prosser	Truman	
Blood	Hammond	McGraw	Ramsey	Warner	
Connolly	Hillhouse	Manierre	Richmond	Williams	
Ferry	Kelly	Montgomery	Sessions		24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize the Bushwick and Newtown bridge and turnpike road company to widen the draw to their bridge, and to grant and release certain rights to the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Montgomery	Spinola	
Blood	Gardiner	Lapham	Ramsey	Warner	
Connolly	Goss	McGraw	Richmond	Williams	
Ferry	Hillhouse	Manierre	Sessions		19

FOR THE NEGATIVE.

Abell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The President announced as the committee of conference on the Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," Messrs. Fiero, Ketcham and Lawrence.

The President also announced as the committee of conference on the Assembly bill entitled "An act making appropriations for certain expenses of government," Messrs. Hillhouse, Williams, Sessions, Montgomery and Spinola.

The Assembly bill entitled "An act to amend an act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," passed February 17, 1848," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Manierre	Robertson	Truman	
Connolly	Hillhouse	J. M. Murphy	Sessions	Williams	
Fiero	Kelly	P. P. Murphy			13

FOR THE NEGATIVE.

Ferry	Lapham	Montgomery	Richmond	Warner	
Ketcham	McGraw	Ramsey			8

Mr. J. M. Murphy moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The hour of six o'clock having arrived, the President declared the Senate adjourned.

THURSDAY, APRIL 11, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Wyckoff.

On motion of Mr. Richmond, the reading of the journal was dispensed with.

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government," with a message that they had appointed as the conference committee on their part, Messrs. Robinson, Bingham, Prendergast, Angel, Pierce, Kernan, Buckbee and Hutchings.

Mr. P. P. Murphy, from the majority of the committee on claims, to which was referred the Assembly bill entitled "An act for the relief of the canal claimants, and to increase the jurisdiction of Canal Appraisers," reported the same for the consideration of the Senate, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to widen Main street, in the city of Brooklyn," with power to report complete, re-

ported, the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, and the New York delegation, to which was referred the Assembly bill entitled "An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds' therefor," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, and the New York delegation, to which was referred the Assembly bill entitled "An act providing for the amendment of the charter of the city of New York, and for the submission of the same to the people thereof," reported in favor of the passage of the same.

On motion of Mr. Manierre and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the majority of the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to divide the Eleventh ward in the city of Brooklyn, to be called the Twentieth ward, in the same city," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. Rotch, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act for the relief of the St. Regis tribe of Indians," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to authorize the town of West Farms to macadamize a public road in said town,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Seneca Falls Savings Bank at Seneca Falls, New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Ferry, from the select committee of eight, reported the following entitled bills, as proper to be referred to the standing committees reporting them, with power to report complete, to wit:

"An act to legalize certain acts and ordinances of the mayor, aldermen and commonalty of the city of New York, passed November 27, 1856, relating to contracts for filling in sunken lots."

"An act to provide against mutilation of the records in the city of New York."

Also, the following Assembly bills:

"An act in relation to constables in the city of Brooklyn."

"An act to amend an act entitled 'An act to authorize the town of West Farms to macadamize a public road in said town.'"

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Richmond, from the committee on public printing, to which was

referred the resolution to print extra copies of the report of the Trustees of the State Library, for the use of the Trustees and for the use of the Legislature, reported adversely thereto, which report was agreed to.

By unanimous consent, Mr. Robertson asked and obtained leave to introduce a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Panama,' passed March 21, 1861," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Robertson and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	Munroe	Spinola
Bell	Goss	McGraw	Richmond	Truman
Blood	Grant	Manierre	Robertson	Warner
Connolly	Hammond	Montgomery	Rotch	Williams
Ferry	Ketcham			

22

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the bill entitled "An act to legalize certain acts and ordinances of the mayor, aldermen and commonalty of the city of New York, passed November 27, 1856, relating to contract for filling in sunken lots," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick, into one municipal government, and to incorporate the same," reported in favor of the passage of the same.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed April 12, 1860," reported in favor of the passage of the same, with amendments.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee to report complete.

By unanimous consent, Mr. Rotch moved to recommit the Assembly bill entitled "An act to prevent the sale of impure, adulterated, or swill milk, and provide for the punishment thereof," to the committee on agriculture.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond, from the committee on the judiciary, to which was referred the bill entitled "An act to provide against mutilation of the records in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act in relation to constables in the

city of Brooklyn," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the majority of the select committee on the apportionment of the State into Congressional districts, reported by bill entitled "An act dividing the State into Congressional districts," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Connolly, from the minority of the select committee on the apportionment of the State, reported in writing, adversely to said bill, which report was laid on the table and ordered printed.

(See Doc. No. 69.)

Mr. Truman moved to make said bill the special order for this afternoon at half-past three o'clock.

Mr. Hammond moved to amend so as to postpone the consideration of said bill indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Colvin	Gardiner	Kelly	J. M. Murphy	
Blood	Connolly	Hammond	Lawrence	Spinola	16

FOR THE NEGATIVE.

Bell	Ketcham	Montgomery	Ramsey	Sessions	
Ferry	Lapham	Munroe	Richmond	Truman	
Fiero	McGraw	P. P. Murphy	Robertson	Warner	
Goss	Manierre	Prosser	Rotch	Williams	
Grant					21

Mr. Warner moved to amend by striking out the word "this" and inserting in lieu thereof the word "to-morrow."

Mr. Truman moved further to amend, so as to make said bill the special order for this evening at 7½ o'clock, and that the Senate hold a session for that purpose.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion, as amended, and it was decided in the affirmative.

Mr. Gardiner, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out a public park and a parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860," reported in favor of the passage of the same, with amendments, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific, and missionary societies,' passed April 12, 1848,' passed April 7, 1849,' passed April 7, 1857,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The President presented the report of the Commissioners of the Code, transmitting Book of Forms, which was laid on the table.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to provide for the widening of Atlantic avenue in the city of Brooklyn, and to establish a public drive and promenade on said Avenue,' passed March 21, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend the charter of the village of Macedon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize the Commissioners of the Sinking Fund of the city of New York, to sell certain lands in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act relative to the chamberlain of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

Mr. Sessions moved to refer said bill to the committee of the whole.

Mr. Manierre moved to refer to a select committee of three.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Goss	Manierre	P. P. Murphy	Ramsey	Truman	
Hammond	Montgomery	Prosser	Rotch	Williams	10

FOR THE NEGATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Sessions	
Bell	Gardiner	Lawrence	Richmond	Spinola	
Blood	Grant	Munroe	Robertson	Warner	
Colvin	Kelly				17

The President then put the question whether the Senate would agree to said motion of Mr. Sessions, to refer said bill to the committee of the whole, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	Richmond	Spinola	
Blood	Grant	Munroe	Robertson	Warner	
Colvin	Kelly	J. M. Murphy	Sessions	Williams	
Fiero	Lapham				17

FOR THE NEGATIVE.

Goss	Manierre	P. P. Murphy	Prosser	Rotch	
Hammond	Montgomery				7

"An act to amend an act entitled 'An act to reorganize and regulate the common schools and the board of education of the city of Brooklyn, passed April 4, 1850,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Valatie, in the county of Columbia,' passed April 6, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on incorporation of cities and villages.

"An act in relation to the Union Free School in the village of Hamilton, in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to amend an act entitled 'An act to lay out and construct a road from the State pond, at the head of the Black river canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township No. 6, Moose river tract, in Herkimer county,' passed April 18, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to enable the Harmony Fire and Marine Insurance company to amend their charter, and do other acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to establish and regulate a ferry across Sodus bay, in the town of Huron, in the county of Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act in relation to the Union Free School in the village of Hamilton, in the county of Madison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act to incorporate the Westchester County Savings Bank," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

"An act to exempt certain territory from the corporation of the village of Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend certain sections of an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to authorize and establish a jail or lock-up in the village of West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act for the protection and improvement of the Tonawanda band of Seneca Indians, residing on the Tonawanda Reservation in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

"An act to enable the Monroe County Agricultural Society to convey and dispose of its real and personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries, passed April 17, 1857,' and an act amendatory of the same, passed April 18, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

Mr. McGraw gave notice that he would, at an early day, move to suspend Senate rule No. 31, for the purpose of reconsidering Senate bill No. 135, entitled "An act for the relief of Madison University."

Mr. Munroe gave notice that he would, at an early day, move to suspend so much of the 26th rule as prohibits bills being read a third time on the same day they are ordered to a third reading.

Mr. Spinola, from the select committee of eight, reported the following entitled Assembly bills as proper to be taken from the general orders and recommitted to the appropriate standing committees, with power to report complete, to wit:

"An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860."

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street in said city,' passed April 17, 1860."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorize and establish a jail or lock-up in the village of West Troy," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson.'"

"An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act in relation to demand and protest on bills of exchange, bank checks and promissory notes falling due on certain holidays."

By unanimous consent, Mr. Ramsey moved to take from the table the message of his Excellency the Governor, transmitting his objections to the bill entitled "An act to facilitate the construction of the Albany and Susquehanna railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President announced the question "Shall this bill become a law notwithstanding the objections of the Governor?" and it was decided in the negative, two-thirds of all the members present and voting, not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Ramsey	Spinola
Blood	Goss	Manierre	Richmond	Truman
Colvin	Grant	J. M. Murphy	Rotch	Warner
Connolly	Hammond	Prosser		

18

FOR THE NEGATIVE.

Bell	Hillhouse	Lawrence	P. P. Murphy	Sessions
Ferry	Ketcham	McGraw	Richmond	Williams
Fiero	Lapham	Montgomery		

13

The Assembly returned the bill entitled "An act to amend the charter of the Long Island railroad company," with a message that they had passed the same with the following amendment:

Strike out the first section, and change the numbers of subsequent sections to correspond.

Mr. Lawrence moved that the Senate concur in said amendments, with the further amendment, as follows:

Strike out in the first line of the first section the word "said" and insert in lieu thereof the following words: "Long Island railroad."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Manierre	Prosser	Spinola
Blood	Gardiner	Munroe	Robertson	Warner
Connolly	Lapham	J. M. Murphy	Sessions	Williams
Ferry	Lawrence	P. P. Murphy		

18

FOR THE NEGATIVE.

Abell	Grant	Ramsey	Rotch	Truman
Goss	Montgomery	Richmond		

8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment, with a further amendment.

The Assembly returned the bill entitled "An act to incorporate the German Hospital in the city of New York," with a message that they had passed the same with the following amendment :

Strike out section nine, and change subsequent sections to correspond.

Mr. McGraw moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	P. P. Murphy	Spinola
Blood	Goss	Manierre	Prosser	Truman
Connolly	Hammond	Montgomery	Robertson	Warner
Ferry	Lapham	Munroe	Sessions	Williams
Fiero	Lawrence	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The President presented a communication from the Auditor of the Canal Department, in reply to a resolution of the Senate concerning certain canal drafts and certificates, which was laid on the table and ordered printed.

(See Doc. No. 72.)

The Assembly bill entitled "An act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Geddes, in the county of Onondaga," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Montgomery	Prosser	Sessions
Bell	Ketcham	Munroe	Richmond	Truman
Blood	Lawrence	J. M. Murphy	Robertson	Warner
Connolly	McGraw	P. P. Murphy	Rotch	Williams
Ferry				

21

FOR THE NEGATIVE.

Goss	Manierre			
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Montgomery	Prosser	Sessions
Bell	Goss	Munroe	Richmond	Truman

Connolly,	Ketcham	J. M. Murphy	Robertson	Warner
Ferry	McGraw	P. P. Murphy	Rotch	Williams
Fiero	Manierre			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relinquishing title and ceding jurisdiction to the United States over certain land in the city of Oswego to be occupied as a pier, and to rescind the contract of a sale of said land," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	P. P. Murphy	Sessions
Bell	Gardiner	McGraw	Richmond	Truman
Blood	Goss	Montgomery	Robertson	Warner
Connolly	Hammond	Munroe	Rotch	Williams
Ferry	Ketcham	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to provide against mutilation of the records in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	J. M. Murphy	Spinola
Bell	Gardiner	McGraw	P. P. Murphy	Truman
Colvin	Goss	Manierre	Richmond	Warner
Connolly	Hammond	Montgomery	Robertson	Williams
Ferry	Ketcham	Munroe	Sessions	

24

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act in relation to the Troy and Lansingburgh railroad company," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Connolly	Hammond	Manierre	Sessions
Bell	Ferry	Lapham	Montgomery	Truman
Blood	Fiero	Lawrence	Munroe	Warner
Colvin	Gardiner	McGraw	Richmond	

FOR THE NEGATIVE.

Goss	P. P. Murphy
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act authorizing the Hudson West Shore railroad company to extend their road from the village of Nyack to the village of Warren," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Montgomery	Rotch	
Bell	Gardiner	Lawrence	Munroe	Sessions	
Blood	Goss	McGraw	J. M. Murphy	Truman	
Connolly	Hammond	Manierre	Robertson	Warner	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to schools in the village of Binghamton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE

Abell	Ferry	Ketcham	Munroe	Robertson	
Bell	Fiero	Lapham	J. M. Murphy	Sessions	
Blood	Gardiner	McGraw	Ramsey	Truman	
Colvin	Goss	Manierre	Richmond	Warner	
Connolly	Kelly	Montgomery			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer, to a certain piece of land, and to allow them to hold and convey real estate," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Munroe	Robertson	
Blood	Goss	Lawrence	J. M. Murphy	Rotch	
Colvin	Grant	McGraw	P. P. Murphy	Sessions	
Connolly	Hammond	Manierre	Ramsey	Truman	
Ferry	Kelly	Montgomery	Richmond	Warner	
Fiero					26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend chapter 372 of the Laws of 1860, entitled 'An act to authorize the corporation of the city of New York to borrow a further sum of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Munroe	Spinola	
Bell	Gardiner	Lawrence	P. P. Murphy	Truman	
Blood	Goss	McGraw	Rotch	Warner	
Connolly	Hammond	Manierre	Sessions	Williams	
Ferry	Kelly	Montgomery			23

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the village of Panama,' passed March 21, 1861."

"An act relative to local improvements in the city of Brooklyn."

Ordered, That the Clerk deliver said bills to the Governor.

The hour of fifteen minutes to two having arrived, the President announced that the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met.

The third reading of the Assembly bill entitled "An act to amend an act to provide for re-building the locks on the Onondaga Lake canal," having been announced—

Mr. Truman moved to recommit said bill, with instructions to amend by adding the words: "The expense of re-building said locks shall be paid out of the revenues of the canals, and the total amount shall not exceed \$21,000."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Truman moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Lapham	Montgomery	Prosser	Sessions	Truman	6
Manierre					

FOR THE NEGATIVE.

Bell	Fiero	Hammond	McGraw	Rotch	
Colvin	Gardiner	Kelly	Munroe	Spinola	
Connolly	Goss	Ketcham	J. M. Murphy	Warner	
Ferry	Grant	Lawrence	P. P. Murphy		19

Mr. Prosser moved to recommit said bill, with instructions to amend by inserting the following as an additional section, and report the same back forthwith, to wit:

"Sec. —. The work of rebuilding the locks aforesaid, shall not be done unless in the opinion of the Canal Board it is for the best interest of the State to do it."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Hillhouse	P. P. Murphy	Robertson	Truman	10
Fiero	Lapham	Prosser	Sessions	Williams	

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	Munroe	Rotch	
Colvin	Goss	Lawrence	J. M. Murphy	Spinola	
Connolly	Hammond	McGraw	Ramsey	Warner	
Ferry	Kelly				17

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	Munroe	Richmond
Colvin	Goss	Ketcham	J. M. Murphy	Botch
Connolly	Grant	Lawrence	P. P. Murphy	Spinola
Ferry	Hammond	McGraw	Ramsey	Warner
Fiero				

21

FOR THE NEGATIVE.

Hillhouse	Montgomery	Robertson	Sessions	Truman
Manierre	Prosser			

7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act giving the consent of the State of New York to the purchase, by the United States, of the 'Sisters' Islands,' in the St. Lawrence river," having been announced.

On motion of Mr. J. M. Murphy and by unanimous consent, said bill was amended so as to read as follows:

Strike out all after section 5, engrossed bill, and insert the following:

Section 5. Jurisdiction is also hereby ceded to the United States over so much land as may be necessary for the construction and maintenance of light-houses and keepers' dwellings, within this State, as the United States may now own or hereafter become owners of, by purchase or otherwise, not to exceed ten acres of land each, the same to be selected by an authorized officer of the United States, approved by the Governor, and the boundaries of the land selected, with such approval endorsed thereon, and a map thereof filed in the office of the Secretary of State and by him recorded: provided, always, and the assent aforesaid is granted upon this express condition, that this State shall retain a concurrent jurisdiction with the United States in and over the several tracts aforesaid, so far that all civil and such criminal process as may issue under authority of this State, against any person or persons charged with crimes committed within the bounds of this State, may be executed therein in the same manner as though this assent had not been granted.

§ 6. Jurisdiction is also ceded as aforesaid to the lands selected, approved and owned as aforesaid, and a survey thereof filed and recorded as above provided, for the construction of the following beacon lights, to wit:

1. For a beacon light on the eastern shore of the river, near the lower end of Fish House bar.

2. For a beacon light on a dyke above Fish House bar.

3. For a beacon light on the southern part of an island near Round shoal. All of which are situated in or on the Hudson river, between Albany and Troy.

§ 7. Jurisdiction is also ceded to the United States over so much land as may be necessary for the construction and maintenance of fortifications and their appurtenances, and over all the contiguous shores, flats and waters within four hundred yards from low water mark, within this State, as the United States may now own or hereafter become owners of, by purchase or otherwise, not to exceed one hundred and fifty acres, the same to be selected by an authorized officer of the United States, approved by the Governor, and the boundaries of the land selected, with such approval endorsed thereon, and a map thereof filed in the office of the Secretary of State and by him recorded: provided, always, and the assent aforesaid is granted upon this express condition, that this State shall retain a concurrent jurisdiction with the United States in and over the several tracts aforesaid, so far that all civil and such criminal process as may issue under authority of this State, against any person or persons charged with crimes committed within the bounds of this State, may be executed therein in the same man-

ner as though this assent had not been granted, except so far as such process may affect the real or personal property of the United States.

The foregoing shall be applicable only to the lands selected, approved and owned as aforesaid, and a survey thereof filed and recorded as above provided, for the purpose of building and maintaining thereon batteries, forts, magazines, wharves, and other necessary structures with their appendages, adjacent to Fort Hamilton, Kings county, Long Island.

§ 8. In case the United States shall desire to purchase any portion of the lands selected in pursuance of the provisions of this act, and shall be unable to agree for the purchase of the same, it shall have the right to acquire title to the same in the manner hereinafter prescribed.

§ 9. For the purpose of acquiring title, the United States may present a petition, praying for the appointment of commissioners of appraisal, to the Supreme Court of the district in which the premises described in the petition are situated, at a general or special term thereof. Such petition shall contain a description of the real estate required, and that the United States cannot acquire title by agreement, and the reason therefor, and shall be verified by the authorized agent of the United States, according to the rules and practice of said courts. Said petition shall contain the names and places of residence of all persons owning or claiming to own or have any interest in said premises, and particularly who of them are infants, persons of unsound mind, or idiots, as far as the same, by reasonable diligence, can be obtained. A copy of said petition, with notice of time and place when the same will be presented, must be served on all persons named in said petition as interested, and the manner prescribed for the service of similar petitions by railroad companies by the fourteenth section of the act entitled "An act to authorize the formation of railroad companies, and to regulate the same," passed April 2, 1850, and also the several acts amending the same.

§ 10. On presenting such petition, and no sufficient cause be shown against the same, the court shall appoint three disinterested persons to appraise the said premises, under oath, who shall report to said court of the proceedings and amount of their appraisal, containing a description of the premises appraised, which report the said court may confirm on such notice as they may direct, if, in their opinion, such confirmation is proper.

§ 11. The order of confirmation shall contain a recital of the proceedings on said petition and a description of the premises appraised. The amount of costs, and expenses and counsel fees of said proceedings, to be ascertained and settled by said court, and a direction to whom the money, including the amount of said appraisal and such costs, expenses and counsel fees is to be paid, or in what bank, or in what manner it shall be deposited by the United States; and on recording a certified copy of such order at full length in the office of the clerk of the county in which said premises are situated, which the said clerk is hereby authorized to record, and on payment or deposit by the United States of the sums to be paid as compensation for land and for costs and expenses of said proceedings, to be determined by said court, as directed by said order, the title of said premises mentioned in said order shall vest in the United States, so long as the same shall be used for the purposes mentioned in this act.

§ 12. The commissioners appointed in pursuance of this act shall be entitled each to three dollars a day for every day actually engaged.

§ 13. The said property, when acquired by the United States, shall be and continue forever thereafter exonerated and discharged from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State; but the jurisdiction hereby ceded, and the exemption from taxation hereby granted, shall continue in respect to said pro-

perty, and to each portion thereof, so long as the same shall remain the property of the United States, and be used for the purposes aforesaid, and no longer.

§ 14. This act shall take effect immediately.

Amend the title so as to read as follows :

"An act giving the consent of the State of New York to the purchase by and ceding jurisdiction to the United States over certain lands within this State, to be occupied as sites of light houses, keepers' dwellings and fortifications, and their appurtenances."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	J. M. Murphy	Rotch
Blood	Goss	Lawrence	P. P. Murphy	Sessions
Colvin	Grant	McGraw	Prosser	Spinola
Connolly	Hammond	Montgomery	Richmond	Warner
Ferry	Kelly	Munroe	Robertson	Williams
Fiero	Ketcham			

27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Spinola, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Spinola, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street in said city,' passed April 17, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries, passed April 17, 1857,' and an act amendatory of the same, passed April 18, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

The Assembly bill entitled "An act to authorize the 'Farmerville Rural Cemetery Association' to remove the bodies buried in their cemetery; also to sell and convey said ground," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Munroe	Robertson
Cannolly	Hammond	McGraw	P. P. Murphy	Rotch
Ferry	Ketcham	Manierre	Prosser	Truman
Fiero	Lapham	Montgomery	Richmond	Warner
Gardiner				

21

Ordered, That the Clerk return said bill to the Assembly, with a mes-

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	McGraw	Prosser	Spinola
Blood	Hammond	Montgomery	Robertson	Truman
Connolly	Kelly	J. M. Murphy	Rotch	Warner
Ferry	Lawrence	P. P. Murphy	Sessions	

19

FOR THE NEGATIVE.

Lapham

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Sessions moved to take from the table the bill entitled "An act in relation to the department of finance in the city of New York."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Kelly	McGraw	Richmond	Spinola
Blood	Lapham	J. M. Murphy	Robertson	Warner
Fiero	Lawrence	Prosser	Sessions	Williams
Grant				

16

FOR THE NEGATIVE.

Colvin	Goss	Ketcham	Montgomery	Rotch
Ferry	Hammond	Manierre	P. P. Murphy	Truman
Gardiner				

11

Mr. Sessions moved to recommit said bill to the committee on the incorporation of cities and villages, with instructions to substitute the Assembly bill, being in the words following, and report the same back forthwith:

"An act relative to the chamberlain of the city of New York."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Sec. 1. The chamberlain of the city of New York shall hold his office for the term of four years from the time of his appointment, and until his successor shall be duly appointed and qualified, and shall be subject to removal from office only for the causes and in the manner, by the same authority, and by the proceedings now provided by law for the removal of the mayor, comptroller, and corporation counsel of said city, and not otherwise. The chamberlain of said city, appointed on the 24th day of December, 1860, shall hold his office for the term above provided and shall not be subject to removal therefrom, except as above specified.

§ 2. This act shall take effect immediately.

Mr. Spinola moved that the Senate now go into committee of the whole on the Assembly bills entitled as follows:

"An act relative to the chamberlain of the city of New York."

"An act to submit the question of calling a Convention to revise the Constitution and amend the same to the people of the State."

Also, the following Senate bill:

"An act providing for the punishment of the crimes of treason, murder and arson in the first degree."

The President put the question whether the Senate would agree to said

motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bills.

After some time spent therein, the President resumed the chair, and announced that the hour of six o'clock having arrived, the Senate would take a recess until half-past seven o'clock.

HALF-PAST SEVEN O'CLOCK.

The Senate again met.

The President announced the special order, being the bill entitled as follows:

"An act to divide the State into Congressional districts."

Mr. Colvin moved to postpone said special order for half an hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Lapham	J. M. Murphy	Robertson	Spinola	
Colvin	Lawrence	Richmond	Sessions		9

FOR THE NEGATIVE.

Bell	Goss	Montgomery	Prosser	Truman	
Ferry	Ketcham	P. P. Murphy	Ramsey	Warner	
Fiero	Manierre				12

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Prosser, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Truman moved to recommit said bill to the special committee reporting it, with instructions to report back to-morrow morning immediately after reading the journal, and that it be made the special order at that time.

Mr. Spinola moved to amend so as to make it the special order for "to-morrow at 12 o'clock."

Mr. Warner moved further to amend by striking out "twelve" and inserting "half-past three."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President put the question whether the Senate would agree to said motion of Mr. Spinola, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said motion of Mr. Truman, as amended, and it was decided in the affirmative.

The Senate then resolved itself into a committee of the whole, and resumed the consideration of the general orders pending at the hour of taking a recess, being the Assembly bills entitled as follows:

"An act relative to the chamberlain of the city of New York."

"An act to submit the question of calling a convention to revise the Constitution and amend the same, to the people of the State."

Also, the following Senate bill:

"An act providing for the punishment of the crimes of treason, murder and arson in the first degree."

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported in favor of the passage of the two

first named bills, without amendment, which report was agreed to, and said bills ordered to a third reading.

Mr. Lawrence, from the same committee, reported that they had gone through with the last named bill, and substituted therefor Assembly bill No. 40, entitled "An act to repeal chapter 410 of the Laws of 1860, entitled 'An act in relation to capital punishment, and to provide for the more certain punishment of the crime of murder,'" and report progress thereon and ask leave to sit again.

Mr. Goss moved that the committee of the whole be discharged from the further consideration of said last named bill, and that the same be ordered to a third reading.

Mr. Lapham moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Prosser	Sessions	Truman	
Colvin	Hillhouse	Ramsey	Spinola	Williams	
Connolly	Lapham				12

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	Manierre	Richmond	
Ferry	Goss	Lawrence	Munroe	Robertson	
Fiero	Grant	McGraw	P. P. Murphy	Warner	15

After debate—

Mr. Truman moved to lay the motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Manierre	Sessions	Truman	
Colvin	Hillhouse	Prosser	Spinola	Williams	
Connolly	Lapham	Ramsey			13

FOR THE NEGATIVE.

Bell	Gardiner	Kelly	McGraw	Richmond	
Ferry	Goss	Ketcham	Munroe	Robertson	
Fiero	Grant	Lawrence	P. P. Murphy	Warner	15

Mr. Williams moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	Prosser	Truman	
Colvin	Hillhouse	Manierre	Sessions	Williams	
Grant	Lapham				12

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	P. P. Murphy	Robertson	
Connolly	Goss	McGraw	Ramsey	Spinola	
Ferry	Kelly	Munroe	Richmond	Warner	
Fiero					16

Mr. Lapham moved to recommit said bill to the committee on the judiciary.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	Ramsey	Truman	
Colvin	Hillhouse	Prosser	Sessions	Williams	
Connolly	Lapham				12

FOR THE NEGATIVE.

Bell	Gardiner	Kelly	Manierre	Richmond	
Ferry	Goss	Ketcham	Munroe	Robertson	
Fiero	Grant	McGraw	P. P. Murphy	Warner	15

Mr. Fiero moved that the question on the motion of Mr. Goss be taken in five minutes, without delay or debate.

Mr. Lapham moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	Ramsey	Truman	
Colvin	Hillhouse	Manierre	Sessions	Williams	
Connolly	Lapham	Prosser			13

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	P. P. Murphy	Spinola	
Ferry	Goss	McGraw	Richmond	Warner	
Fiero	Grant	Munroe	Robertson		14

Mr. Lapham moved to amend the motion of Mr. Fiero by striking out "five minutes" and inserting "half-past two to-morrow morning."

Mr. Blood moved that the Senate adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Grant	Kelly	Prosser	Truman	
Colvin	Hammond	Lapham	Ramsey	Williams	
Connolly	Hillhouse	Lawrence	Sessions		14

FOR THE NEGATIVE.

Bell	Gardiner	McGraw	P. P. Murphy	Spinola	
Ferry	Goss	Manierre	Richmond	Warner	
Fiero	Ketcham	Munroe	Robertson		14

Mr. Lawrence moved to amend the amendment, so as to postpone the question of agreeing to the motion of Mr. Goss until to-morrow morning at ten o'clock.

Mr. Grant moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Blood	Grant	Kelly	Prosser	Sessions	
Colvin	Hammond	Lapham	Ramsey	Truman	
Connolly	Hillhouse	Lawrence	Richmond	Williams	15

FOR THE NEGATIVE.

Bell	Gardiner	Ketcham	Manierre	P. P. Murphy	
Ferry	Goss	McGraw	Munroe	Warner	
Fiero					11

The President declared the Senate adjourned until to-morrow morning at ten o'clock.

FRIDAY, APRIL 12, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Rogers.

On motion of Mr. Colvin, the reading of the journal was dispensed with.

By unanimous consent, Mr. Munroe asked to have entered on the journal his request that his name be recorded in the negative on the question of passing the bill entitled "An act to facilitate the construction of the Albany and Susquehanna railroad," notwithstanding the objections of the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to legalize the acts of Elijah Philips as justice of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the number of superintendents of the poor in the county of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the internal affairs of towns and counties.

"An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in the said town, of the width of two rods," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to give power to the trustees of the Troy University to compromise and settle unpaid subscriptions and pending actions, and to increase the number of trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act in relation to actions now pending and hereafter to be brought by receivers of insolvent mutual insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance companies.

"An act to incorporate 'The Bath and Coney Island bridge company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act in relation to the highway between Wilmurt and Morehouse, in the county of Hamilton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to confirm and legalize a certain contract made with John Slatery, for regulating and grading Eightieth street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river at Oswego Falls,' passed June 30, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend the act entitled 'An act to amend the act incorporating the village of Dansville,' passed June 4, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate the expenditure thereof; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to legalize and confirm the acts and proceedings of the commissioners of highways and boards of town auditors of the towns of Schroepfel and Granby, in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the

boards of town auditors of said towns to audit any sums remaining due to the contractor for said work," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Buffalo and for other purposes, passed April 20, 1839, amended March 28, 1854,' organizing the superior court of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Prosser and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

"An act to incorporate the Smith Hall Association, in Manlius village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Munroe and by unanimous consent, the rules were suspended, and said bill was referred to the committee on the judiciary, to report complete.

"An act to incorporate the Metropolitan Fair Ground company, of Westfield, Chautauqua county, New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Sessions and by unanimous consent, the rules were suspended, and said bill was referred to the committee on agriculture, to report complete.

"An act to regulate the use of piers number 32 and number 33, East river, and the bulkhead and slip between said piers, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act in relation to operators and others in the employ of telegraph companies in this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Fiero and by unanimous consent, the rules were suspended, and said bill was referred to the committee on militia and public defence, to report complete.

"An act to amend an act entitled 'An act to promote agriculture,' passed May 5, 1841,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rotch and by unanimous consent, the rules were suspended, and said bill was referred to the committee on agriculture, to report complete.

"An act to authorize the appraisal and payment of canal damages to Nathan Marble," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

"An act for the relief of the Union Free School of district No. 9, in the town of Lenox," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on literature.

"An act for the relief of George Fredericks, of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act in relation to school district No. 18, in the town of Fishkill," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ketcham and by unanimous consent, the rules were suspended, and said bill was referred to the committee on literature, to report complete.

"An act to provide for the election of a police justice and a police constable in the village of Addison, and to legalize the acts of Henry W. Sanford, as a police justice, and Francis E. Young, as police constable, that may be performed by them until the next annual corporation election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the incorporation of cities and villages.

"An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins, passed April 3, 1861,' and to enlarge the power of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Truman and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	Manierre	Prosser	Sessions
Connolly	Hammond	Montgomery	Ramsey	Truman
Ferry	Hillhouse	Munroe	Robertson	Va'ner
Fiero	Ketcham	P. P. Murphy	Rotch	Williams
Goss	Lawrence			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to incorporate the Artists' Fund society, of the city of New York."

"An act in relation to fines, recognizances and forfeitures."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill:

"An act to authorize 'The Coney Island and Brooklyn railroad company' to construct their road, and to lay thereon rails of less weight than required by the general railroad act, and to widen and re-construct the bridge at Coney Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

The Assembly returned the concurrent resolutions in relation to the "Reciprocity Treaty between the United States and Great Britain." Also, "To amend the Constitution so as to prohibit the sale of intoxicating liquors as a beverage," with a message that they had concurred in the passage of the same, without amendment.

Ordered, That the Clerk transmit said resolutions to the office of the Secretary of State.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill:

"An act to amend the charter of the Long Island railroad company."

Ordered, That the Clerk return said bill to the Assembly.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act to incorporate the National Horse Show Association, at Saratoga Springs."

The Assembly returned the bill entitled "An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in po-

lice courts in the city of New York," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 1, strike out the word "two" and insert in lieu thereof the word "eleven."

Mr. Connolly moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	Prosser	Sessions	
Colvin	Grant	McGraw	Ramsey	Spinola	
Connolly	Hammond	Montgomery	Richmond	Truman	
Ferry	Hillhouse	Munroe	Robertson	Warner	
Fiero	Kelly	P. P. Murphy	Rotch	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act for the relief of Augusta Reubell," with a message that they had concurred in the passage of the same, with the following amendment:

At the end of line 2, section 2, engrossed bill, after word "of" insert the words "any heir at law or."

Mr. Rotch moved that the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	Ramsey	Sessions	
Connolly	Hillhouse	Manierre	Richmond	Truman	
Ferry	Ketcham	Munroe	Robertson	Warner	
Fiero	Lapham	P. P. Murphy	Rotch	Williams	
Goss	Lawrence	Prosser			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to incorporate the Zeta Phi Fraternity, in the village of Delhi," with a message that they had concurred in the passage of the same, with the following amendment:

Amend section 4, so as to read as follows:

"§ 4. The said corporation may purchase and hold any real or personal estate, but the annual income thereof shall not exceed \$5,000."

Mr. Ramsey moved that the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	P. P. Murphy	Rotch	
Bell	Hillhouse	McGraw	Prosser	Sessions	
Blood	Kelly	Manierre	Ramsey	Truman	
Connolly	Ketcham	Montgomery	Richmond	Warner	
Ferry	Lapham	Munroe	Robertson	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to authorize a part of the records, and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson," with a message that they had concurred in the passage of the same, with the following amendments:

Insert the following in lieu of section 1, viz:

"§ 1. The supervisors of the county of Jefferson, at their next annual meeting, are hereby authorized to appoint a commissioner for the purposes mentioned in the next succeeding section."

Amend section 5, so as to read as follows :

"The said commissioners shall be entitled to receive such compensation or fee for transcribing the records and files to transcribed and for indexing the same, as the board of supervisors of the county of Jefferson, or a majority of them, may determine, together with such other reasonable expenses actually incurred by said commissioners in procuring books and stationery, and such expenses of travelling to and from said clerk's offices in the counties of Oneida and Herkimer, and either of them, and of removing them to carry out the provisions of this act."

Mr. Bell moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Grant	Lawrence	P. P. Murphy	Rotch
Bell	Hammond	McGraw	Prosser	Sessions
Connolly	Kelly	Manierre	Ramsey	Truman
Ferry	Ketcham	Montgomery	Richmond	Warner
Fiero	Lapham	Munroe	Robertson	Williams
Goss				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to incorporate the Wayne County Savings bank, at Lyons," with a message that they had concurred in the passage of the same, with the following amendments :

Line 15, sec. 6, engrossed bill, strike out "5,000" and insert "1,000." Add at the end of section 6, as follows: "and no sum exceeding \$25,000 shall be deposited in any one bank."

Mr. Williams moved that the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE

Abell	Goss	Lawrence	P. P. Murphy	Rotch
Blood	Grant	McGraw	Prosser	Sessions
Connolly	Hammond	Manierre	Ramsey	Truman
Ferry	Kelly	Montgomery	Richmond	Williams
Fiero	Ketcham	Munroe		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to legalize the acts of Jones Ostrander, a constable of the town of Danby, for the years 1860 and 1861," with a message that they had concurred in the passage of the same, with the following amendments :

Line 2, sec. 1, strike out the words "as a constable," and insert "and Wm. Phillips, constables."

Line 5, insert after the word "Ostrander," the words "and Wm. Phillips," and strike out the word "his" and insert the word "their."

Line 6, strike out "bond" and insert "bonds."

Amend the title by striking out the words "a constable" and inserting the words "and Wm. Phillips, constables."

Mr. Truman moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	Ramsey	Sessions
Bell	Hillhouse	Montgomery	Richmond	Truman
Fiero	Kelly	Munroe	Robertson	Warner
Goss	Ketcham	Prosser	Rotch	Williams
Grant				

21

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend an act to incorporate the Long Island Steamboat company, passed April 11, 1860," with a message that they had concurred in the passage of the same, with the following amendments:

Insert the following as section 3, viz:

"§ 3. All the provisions of an act entitled 'An act to regulate the use of wharves and slips in the city of New York, which shall be leased to certain steamboat lines, passed April 15, 1858,' shall apply to the Long Island Steamboat company, and the boat or boats belonging to said Long Island Steamboat company."

Change the number of section 3, to section 4.

Mr. Spinola moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	P. P. Murphy	Sessions	
Bell	Goss	Kelly	Prosser	Spinola	
Connolly	Grant	Ketcham	Ramsey	Williams	
Ferry	Hammond	McGraw	Richmond		19

FOR THE NEGATIVE.

Lapham	Montgomery	Rotch	Truman	Warner	
Lawrence	Munroe				7

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York,' " with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 20, engrossed bill, after the word "common process." insert the words "not to exceed \$3 per day, for each day's service."

Line 26, same section, after word "river," insert the following:

"Provided that nothing herein contained shall authorize the construction of a high bridge, or any bridge which will require a change in the grade of Third avenue and the streets and avenues adjacent thereto."

Strike out section 2, and insert in lieu thereof the following:

"In case of vacancy in the said board of commissioners, by death or resignation, it shall be filled by the supervisors of the county entitled to fill such vacancy."

Mr. Robertson moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	Munroe	Robertson	
Colvin	Goss	Kelly	Prosser	Rotch	
Connolly	Grant	McGraw	Ramsey	Warner	
Ferry	Hammond	Montgomery	Richmond	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

Mr. Fiero, from the committee on militia and public defence, to which was referred the Assembly bill entitled "An act in relation to operators and others, in the employ of telegraph companies in this State," with

power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out and construct a road from the State pond, at the head of the Black river canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township No. 6, Moose river tract, in Herkimer county,' passed April 18, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to give power to the trustees of Troy University to compromise and settle unpaid subscriptions and pending actions, and to increase the number of their trustees," reported that they have had the same under consideration, have made amendments thereto, by amending the title by striking out the words "and to increase the number of their trustees," and in favor of the passage of the same, as amended, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to School district No. 18, in the town of Fishkill," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to reorganize and regulate the common schools and the board of education of the city of Brooklyn, passed April 4, 1850,' and the acts amendatory thereof," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to the Union Free School in the village of Hamilton, in the county of Madison," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to establish and regulate a ferry across the Sodus bay, in the Town of Huron, in the county of Wayne," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Valatie, in the county of Columbia,' passed April 6, 1860," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. P. P. Murphy, from a majority of the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof," reported in favor of the passage of the same.

Mr. Lawrence moved to recommit said bill to the committee on the incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood
Connolly
Gardiner

Grant
Kelly
Lapham

Lawrence
J. M. Murphy
Ramsey

Richmond
Rotch

Spinola
Truman

FOR THE NEGATIVE.

Abell	Hammond	Manierre	P. P. Murphy	Sessions
Colvin	Hillhouse	Montgomery	Prosser	Warner
Fiero	Ketcham	Munroe	Robertson	Williams
Goss				

16

Mr. Rotch, from the majority of the committee on agriculture, to which was referred the Assembly bill entitled "An act to prevent the sale of impure, adulterated or swill milk, and provide for the punishment thereof," reported in favor of the passage of the same, with an amendment, and said bill was committed to the committee of the whole.

Mr. Gardiner, from the same committee, gave notice of his intention to present a minority report.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to incorporate the Metropolitan Fair Ground company, of Westfield, Chautauqua county, New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Rotch, from the committee on agriculture, to which was referred the Assembly bill entitled "An act to amend an act to promote agriculture, passed May 5, 1841, and the acts amendatory thereof," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lawrence, from the minority of the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof," reports that he understands the committee have had the same under consideration, but not having been invited to consider it with them, have come to the conclusion to report adversely thereto.

Mr. Richmond, from the committee on railroads, to which was referred the Assembly bill entitled "An act to authorize 'The Coney Island and Brooklyn railroad company' to construct their road, and to lay thereon rails of less weight than required by the general railroad act, and to widen and re-construct the bridge at Coney Island," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the collection of taxes in the county of Livingston," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the number of superintendents of the poor in the county of Oswego," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm and legalize a certain contract made with John Slatterly for regulating and grading Eightieth street, in the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to repeal the charter of the Westfield and Clymer plank road, and the Westfield and Sherman plank road."

"An act to provide for holding a special meeting in the village of Middleport, and transacting business thereat."

"An act to incorporate the American Church Missionary Society."

"An act in relation to cases of murder, and of arson in the first degree, occurring previously to the 4th day of March, in the year 1860."

"An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased."

"An act to amend section 1, chapter 506, of the Laws of 1851."

"An act to provide for the appointment of a commissioner of deeds in the town of Chateaugay, Franklin county."

"An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848."

"An act to provide against mutilation of the records in the city of New York."

"An act conferring additional corporate powers upon Malono village."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Sessions, from the select committee of eight, reported the following entitled Assembly bills as proper to be taken from the general orders and recommitted to the several committees reporting them, to report complete, to wit:

"An act to amend an act entitled 'An act to lay out and construct a road from the State pond, at the head of the Black river canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township number six, Moose river tract, in Herkimer county,' passed April 18, 1859."

"An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Valatie, in the county of Columbia,' passed April 6, 1860."

"An act in relation to the Union Free School in the village of Hamilton, in the county of Madison."

"An act to confirm and legalize certain contracts made with John Slat-terly for regulating and grading Eightieth street, in the city of New York."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

The Assembly returned the following entitled bills:

"An act to incorporate the German Hospital in the city of New York."

"An act to incorporate the Wayne County Savings Bank, at Lyons."

"An act to provide for the more certain and guarded prosecution of vagrancy and other petty offences in police courts in the city of New York."

"An act to legalize the acts of Jones Ostrander and Wm. Phillips, constables of the town of Danby, for the years 1860 and 1861."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act in relation to the highway between Wilmar and Morehouse, in the county of Hamilton," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend section 27 of an act entitled 'An act to provide for the incorporation of

villages,' passed December 7, 1847," reported in favor of the passage of the same.

On motion of Mr. Ramsey and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Munroe	Robertson	
Bell	Goss	Lapham	Prosser	Sessions	
Connolly	Grant	Lawrence	Ramsey	Spinola	
Ferry	Hillhouse	Montgomery	Richmond	Warner	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm and legalize a certain contract made with John Slaterly for regulating and grading Eightieth street, in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to further amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' as far as the same relates to the village of Tonawanda, Erie county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed April 12, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick, into one municipal government, and to incorporate the same," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to authorize the commissioners of the sinking fund of the city of New York, to sell certain lands in said city," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Buffalo, and for other purposes, passed April 20, 1839,' amended March 28, 1854, organizing the Superior Court of Buffalo," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts

and proceedings of the commissioners of highways and boards of town auditors of the towns of Schroepel and Granby in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the boards of town auditors of said towns to audit any sums remaining due to the contractor for said work," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Elijah Philips, a justice of the peace," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to provide for the election of a police justice and a police constable in the village of Addison, and to legalize the acts of Henry W. Sanford as police justice, and Francis E. Young as police constable, that may be performed by them until the next annual corporation election," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Hammond from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to incorporate the Smith Hall Association in Manlius village," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in the said town, of the width of two rods," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate 'The Bath and Coney Island Bridge company,'" reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out and construct a road from the State pond, at the head of the Black river canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township number six, Moose river tract, in Herkimer county,' passed April 18, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading:

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Valatie, in the county of Columbia,' passed April 6, 1860" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act for the protection and improvement of the Tonawanda band of Seneca Indians, residing on the Tonawanda Reservation in this State," reported in favor of the passage of the same.

On motion of Mr. J. M. Murphy and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Ferry, from the committee on insurance companies, to which was referred the Assembly bill entitled "An act in relation to actions now pending and hereafter to be brought by receivers of insolvent mutual insurance companies, or of insolvent corporations," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act to authorize the appraisal and payment of canal damages to Nathan Marble," reported the same to the Senate, for its consideration, and said bill was committed to the committee of the whole.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Mount Vernon Savings Bank," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend the act providing for the incorporation of religious societies," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. McGraw, from the committee on literature, to which was referred the Assembly bill entitled "An act in relation to the Union Free School in the village of Hamilton, in the county of Madison," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act for the relief of James Savage and Thomas Kane," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Spinola, from the select committee consisting of the Kings county delegation, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to lay out a public park and parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860," with power to report complete, reported the same complete, with an amendment, which report was agreed to, and said bill ordered to a third reading.

Mr. Fiero, from the committee of conference, to which was referred the matter in difference between the two Houses on the Assembly bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," reported that they met the committee from the Assembly, and agreed upon the following report:

The Senate recedes from all their amendments except the words "or their attorneys," to which amendment the Assembly committee consent.

J. FIERO, JR.,

Chairman Senate Committee.

G. T. PIERCE,

Chairman Assembly Committee.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Lawrence	Prosser	Seassons
Bell	Fiero	Manierre	Ramsey	Truman
Blood	Kelly	Montgomery	Rotch	Warner
Connolly	Lapham	Munroe		

FOR THE NEGATIVE.

Ketcham

Richmond

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the committee of conference thereon.

The Assembly returned the bill entitled "An act supplementary to an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," with a message that they had concurred in the passage of the same, with the following amendments:

Page 4, engrossed bill, 8th line from the bottom, strike out "Joseph" and insert "James."

Page 5, before the last paragraph, insert the following:

"To Edward A. Lambert, for services rendered as mayor of the city of Brooklyn in the years 1853 and 1854, the sum of \$2,000, to be charged to the 1st, 12th and 19th wards of said city."

Same page, line 2 from bottom, strike out "six" and insert "seven."

Page 6, line 2 from top, strike out "\$28,000," and insert "\$25,000."

Section 5, line 17, after the word "to" strike out balance of section and insert the following:

"The Brooklyn City railroad company; The Brooklyn Central and Jamaica railroad company; The Broadway railroad company of the city of Brooklyn; The Brooklyn City and Newtown railroad company; The Coney Island and Brooklyn railroad company; The Grand street railroad-company, and the South Side railroad company."

Mr. Spinola moved that the Senate concur.

Mr. Hammond moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. P. P. Murphy moved that the amendments to said bill be referred to the committee on the incorporation of cities and villages.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Truman moved to refer said amendments to the committee on the incorporation of cities and villages, with instructions to amend by inserting the words "providing that no steam is used," and report back forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hillhouse, from the committee of conference on the part of the Senate and Assembly, to consider matters of difference between the two Houses on the bill entitled "An act making appropriations for certain expenses of government," reported that they have conferred together and agreed upon the following report:

The Assembly concur in the Senate amendment striking out the word "reported" and inserting "reputed." Also, Assembly concur in Senate amendment for deficiency in appropriations for public lands, striking out "eleven thousand" and inserting "fourteen thousand." Also, Assembly concur in Senate amendment to appropriation for binding, mapping, &c. Also, Assembly concur in Senate amendment in relation to item of Orville L. Holley. Also, Assembly concur in Senate amendment for indexing Session Laws, striking out "one hundred" and inserting "three hundred." Also, Assembly concur in Senate amendment as to Secretary of State furnishing Revised Statutes to town of Ellicott.

Senate recede from its amendment to Royal Chamberlain for services in Insurance Department. Assembly concur in amendment to Mary Ten

Broeck. Assembly concur in Senate amendment to George Cushing for drawing canal maps. Assembly concur in Senate amendment as to item for drawings for Paleontology. Senate recede from its amendment as to the item to E. B. O'Callaghan for preparation as to index, &c. of Colonial History, and the conference committee agree that said item shall be as follows:

"To E. B. O'Callaghan, for the preparation of the index to the Colonial History of the State of New York, pursuant to the provisions of chapter 81 of the Laws of 1858, the sum of \$2,250, and to Thomas McLaughlin, for assisting in the preparation of the said index, and for supervising the printing and correcting proof sheets of said index, the sum of \$2,350; both of the aforesaid amounts to be full compensation for the said service, and to be paid on the certificate of the Regents of the University, stating the amounts which are justly due them at the rate of compensation heretofore paid for the editing of the Colonial History of the State, as full and entire compensation for the performance of such service."

Senate recedes from its amendment as to the item for repairs on the canals. Also, Senate recedes from its amendment as to Cayuga Inlet. Assembly concur in Senate amendment striking out "and" and inserting "to." Senate recedes from its amendment as to boilers, pipes, and other apparatus for warming Clinton Prison. Assembly consent to Senate amendment as to Charles Hughes, Clerk Court of Appeals. Assembly consent to Senate amendment as to paying Peter Allison for carpenter work in Secretary of State's office.

Senate recedes from its amendment as to item paying amount for paying Attorney General to pay Lisle and Forestburgh plank road suit. Senate recedes from its amendment in relation to travelling expenses of Inspectors of State Prisons. Assembly concur in Senate amendment for enlargement and completion of State prison at Auburn. Assembly concur in Senate amendment to Banks Brother, for law books. Assembly concur in Senate amendment to widow of Benjamin F. Greene. Assembly concur in Senate amendment as to constables attending Court of Appeals. Assembly concur in Senate amendment as to purchasing Military Tactics and General Regulations for the Militia. Assembly concur in Senate amendment as to compensation to Mrs. Gray and Mrs. Moore, for cleaning State Library. Senate recedes from its amendment relating to David Vaughn, for heading oath books. Assembly concur in Senate amendment to Wm. H. Bogart, for arranging Senate Library. Senate recedes from its amendment to Charles A. Garlinghouse, bank messenger to Clerk of the Senate. Assembly concur in Senate amendment to Lauren L. Rose and Geo. W. Palmer, for comparing engrossed bills. Assembly concur in Senate amendment to Nathaniel Goodwin, Superintendent of Senate chamber. Assembly concur in Senate amendment for copies of Council of Revision. Assembly concur in Senate amendment to clerk of Senate select committee of eight. Assembly concur in Senate amendment to John A. Hawe, for services for transcribing Journal of Legislative Council. Assembly concur in Senate amendment to D. A. Manning, for reporting proceedings of select committee on Metropolitan Police. Assembly concur in Senate amendment to Geo. A. Goss, clerk of Senate committee on internal affairs. Assembly concur in Senate amendment relative to select committee to investigate affairs of Central Park. Assembly concur in Senate amendment to select committee to investigate charges against Harbor Masters. Senate recedes from its amendments as to pages of the two Houses, and the joint conference committee agree to the following:

"To the several messengers of the Senate and Assembly, each the sum of one dollar and fifty cents per day, for each day of actual service, to be

paid on the certificate of the presiding officers of the Senate and Assembly, respectively."

Assembly concur in Senate amendment to Wm. W. Perkins, for services as clerk of select committee to investigate charges against Jay Gibbons. Senate recedes from its amendment as to William M. Gillespie and Henry Gallien. Assembly concur in Senate amendment as to copies of Civil List and amount to be paid therefor. Assembly concur in Senate amendment to James C. Clark, Sergeant-at-Arms of the Senate, for expenses in subpoenaing witnesses, &c., for committee to investigate proceedings of Metropolitan Police Commissioners. Assembly concur in Senate amendment as to items of Chas. D. Easton, Sergeant-at-Arms of the Assembly. Assembly concur in Senate amendment as to item of A. Dodds, for making partition in Assembly chamber, striking out \$82.12 and inserting \$100. Senate recede from their amendment as to the several items for counsel fees in contested election cases, striking out "forty" and inserting "fifty." Senate recede from their amendment as to item to Dennis McCabe, for counsel fees. Assembly concur in Senate amendment as to item to Elizur Clark, for counsel fees. Assembly concur in Senate amendment as to item for entertaining the President, striking out \$644.50 and inserting \$1,264.50; also, striking out \$500 and inserting \$1,120. Senate recede from their amendment as to item to sergeant-at-arms, postmaster, door-keepers, &c., of the Senate. Assembly concur in Senate amendment as to item to Francis M. Blashfield, deputy sheriff of the county of Eau Clair, Wisconsin. Assembly concur in Senate amendment as to item to Theodore P. Ballou. Assembly concur in Senate amendment as to item of Edmund D. Saxton. Senate recede from its amendment as to item to Benj. F. Hall. Assembly concur in Senate amendment to trustees of Genesee College at Lima. Assembly concur in Senate amendment as to item to Wm. Arnot and Calvin Hall. Assembly concur in Senate amendment as to item to Michael Concklin, for services at Quarantine. Assembly concur in Senate amendment, by inserting after "legally" in line 591, the words "and equitably." Assembly concur in Senate amendment as to item for Society for Reformation of Juvenile Delinquents, New York. Assembly concur in Senate amendment as to item to Children's Friend Society, in Albany. Senate recedes from its amendment as to item to Woman's Hospital in the city of New York, and the joint committee agree to the following:

"To the Woman's Hospital of the State of New York, the sum of \$50,000, to be paid in the following manner—\$25,000 when it shall be shown to the satisfaction of the Comptroller, by the statements verified by affidavit of the President and Secretary of the board of governors of said hospital, that the sum of \$50,000 has been raised by donation from other sources and expended for the erection of a suitable building for said hospital; and \$25,000 during the next fiscal year, upon the showing by similar statement verified by affidavit as before, that the further sum of \$50,000 has been raised by donations, and expended as aforesaid."

Assembly concur in Senate amendment as to item to Foland and Schoemaker. Assembly concur in Senate amendment as to item for printing, &c. awards of the commission for soldiers of 1812, by inserting "four thousand two hundred." Assembly concur in Senate amendment as to item to mayor of city of Syracuse, for paving and grading in front of State lots, in said city. Assembly concur in Senate amendment as to item for expenses of Commissioners appointed by the Legislature to meet Commissioners from other States at Washington. Assembly concur in Senate amendment as to item for redemption of State stocks loaned to Long Island railroad company. Also, insert the following:

"To the clerks of the Senate and Assembly, the sum of \$150 each, in

addition to their salary. To the journal clerks of the Senate and Assembly, the sum of \$200 each, in addition to their salary. To the assistant clerks, the engrossing clerks, and the deputy clerks of the Senate and Assembly, each the sum of \$100 in addition to their salaries; and to each of the aforesaid clerks, journal clerks, assistant clerks, engrossing clerks and deputy clerks, the same allowance for mileage to which members of the Legislature are entitled by law, to be paid on the certificate of the President of the Senate, and Speaker of the Assembly, respectively."

THOS. HILLHOUSE,
W. L. SESSIONS,
A. B. WILLIAMS,
CHAS. C. MONTGOMERY,
F. B. SPINOLA.

With the exception of the items indicated, the undersigned members of the Assembly committee, concur in this report.

L. ROBINSON,
F. KERNAN,
G. T. PIERCE.

The undersigned concur with report as submitted.

J. BUCKBEE,
H. A. PRENDERGAST.

The President put the question whether the Senate would agree to the report of the committee of conference, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	P. P. Murphy	Sessions	
Colvin	Gardiner	Ketcham	Richmond	Spinola	
Connolly	Goss	Manierre	Rotch	Williams	
Ferry	Hammond	Munroe			18

FOR THE NEGATIVE.

Bell	Grant	Lawrence	Montgomery	Ramsay	
Blood	Lapham	McGraw	Prosser	Truman	10

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have agreed to the report of the conference committee thereon.

The President announced the special order, being the bill entitled as follows:

"An act dividing the State into Congressional districts."

Mr. Fiero moved to postpone said special order for one hour.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to reconsider said vote.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Hammond	McGraw	Prosser	Richmond	Truman	
Ketcham	Manierre	Ramsay	Rotch	Williams	
Lawrence	Montgomery				12

FOR THE NEGATIVE.

Abell	Colvin	Fiero	Lapham	Sessions	
Bell	Connolly	Gardiner	Munroe	Spinola	
Blood	Ferry	Grant	P. P. Murphy		14

Mr. Ferry, from the select committee of eight, reported the following entitled Assembly bills, as proper to be referred to the standing committees reporting them, with power to report complete, to wit:

"An act to establish and regulate a ferry across the Sodus bay in the town of Huron, in the county of Wayne."

"An act to legalize and confirm the acts and proceedings of the commissioners of highways and boards of town auditors of the towns of Schrocppel and Granby, in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the boards of town auditors of said towns to audit any sums remaining due to the contractor for said work."

"An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in the said town, of the width of two rods."

"An act to incorporate the Mt. Vernon Savings bank."

"An act to amend an act entitled 'An act to lay out a public park and a parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

The Assembly bill entitled "An act to amend an act entitled 'An act to encourage the construction of side walks in Unadilla,' chapter 342 of the Laws of 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Montgomery	Ramsey	
Bell	Fiero	Ketcham	Munroe	Richmond	
Blood	Gardiner	Lapham	P. P. Murphy	Rotch	
Colvin	Goss	Lawrence	Prosser	Sessions	
Connolly	Grant	McGraw			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to enlarge the powers of the trustees of the village of Jamestown, Chautauqua county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Montgomery	Richmond	
Blood	Fiero	Ketcham	Munroe	Sessions	
Colvin	Gardiner	Lapham	Prosser	Spinola	
Connolly	Hammond	McGraw	Ramsey	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the trustees of the village of Olean to open Hamilton street, in said village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	McGraw	Prosser	Sessions
Blood	Hillhouse	Montgomery	Ramsey	Truman
Colvin	Lapham	Munroe	Richmond	Warner
Ferry	Lawrence	P. P. Murphy	Rotch	Williams
Gardiner				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Munroe	Ramsey
Bell	Fiero	Kelly	J. M. Murphy	Richmond
Blood	Gardiner	Lawrence	P. P. Murphy	Sessions
Colvin	Grant	McGraw	Prosser	Williams
Connolly	Hammond	Montgomery		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to the construction of cross and side walks in the village of Forestville," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	J. M. Murphy	Robertson
Blood	Gardiner	McGraw	P. P. Murphy	Sessions
Colvin	Grant	Manierre	Prosser	Warner
Connolly	Hammond	Montgomery	Ramsey	Williams
Ferry	Hillhouse	Munroe	Richmond	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries, passed April 13, 1853,' and the several acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Munroe	Richmond
Blood	Goss	Lapham	J. M. Murphy	Rotch
Colvin	Grant	McGraw	P. P. Murphy	Sessions
Ferry	Hammond	Manierre	Prosser	Warner
Fiero	Hillhouse	Montgomery	Ramsey	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to widen Main street in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Montgomery	Ramsey	Sessions
Blood	Grant	Munroe	Richmond	Spinola
Colvin	Hillhouse	J. M. Murphy	Robertson	Warner
Connolly	Kelly	Prosser	Rotch	Williams
Fiero	Lawrence			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to organize a fire department and board of fire commissioners, in and for the city of Troy," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	J. M. Murphy	Robertson
Blood	Gardiner	McGraw	Prosser	Sessions
Colvin	Grant	Montgomery	Ramsey	Warner
Connolly	Hillhouse	Munroe	Richmond	Williams
Ferry	Lapham			

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act relative to the chamberlain of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lawrence	Prosser	Rotch
Bell	Grant	McGraw	Ramsey	Sessions
Blood	Kelly	Munroe	Richmond	Spinola
Colvin	Lapham	J. M. Murphy	Robertson	Warner
Connolly				

21

FOR THE NEGATIVE.

Gardiner	Ketcham	Montgomery	Truman	Williams
Hammond	Manierre	P. P. Murphy		

8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to submit the question of calling a Convention to revise the Constitution and amend the same to the people of the State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Ramsey	Spinola
Blood	Grant	Lawrence	Richmond	Warner
Colvin	Hammond	J. M. Murphy	Rotch	Williams
Connolly	Kelly	Prosser	Sessions	19

FOR THE NEGATIVE.

Ferry	Hillhouse	Manierre	P. P. Murphy	Robertson
Fiero	McGraw	Montgomery		8

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the town of West Farms to macadamize a public road in said town," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Munroe	Ramsey
Connolly	Hammond	McGraw	J. M. Murphy	Robertson
Ferry	Hillhouse	Manierre	P. P. Murphy	Rotch
Fiero	Kelly	Montgomery	Prosser	Sessions
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Munroe	Rotch
Connolly	Goss	Lawrence	Prosser	Sessions
Ferry	Grant	McGraw	Ramsey	Warner
Fiero	Hillhouse	Manierre	Robertson	19

FOR THE NEGATIVE.

Montgomery	1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

By unanimous consent, Mr. Truman moved that a select committee of five be appointed to examine Assembly claim bills, on general orders, with power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lawrence	Prosser	Spinola
Connolly	Hammond	Munroe	Ramsey	Truman
Ferry	Kelly	J. M. Murphy	Robertson	Warner
Fiero	Ketcham	P. P. Murphy	Sesajons	

19

FOR THE NEGATIVE.

Goss	Hillhouse	
------	-----------	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to confirm and legalize a certain contract made with John Slattery, for regulating and grading Eightieth street, in the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hammond	Manierre	Ramsey	Spinola
Connolly	Hillhouse	J. M. Murphy	Richmond	Truman
Ferry	Ketcham	P. P. Murphy	Rotch	Warner
Gardiner	McGraw	Prosser		

18

FOR THE NEGATIVE.

Fiero	Lapham	Lawrence	Montgomery	Sessions
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street in said city,' passed April 17, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Goss	McGraw	Prosser	Sessions
Connolly	Hammond	Montgomery	Ramsey	Spinola
Ferry	Ketcham	Munroe	Richmond	Truman
Fiero	Lawrence	J. M. Murphy	Rotch	Warner
Gardiner				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The third reading of the Assembly bill entitled "An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds' therefor," having been announced—

On motion of Mr. Connolly and by unanimous consent, said bill was amended by adding after the 31st line the following :

"Harlem bridge, Third avenue, two hundred and fifty thousand dollars."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Montgomery	Richmond
Blood	Goss	Lapham	Munroe	Rotch
Connolly	Grant	Lawrence	Prosser	Sessions
Ferry	Hillhouse	McGraw	Ramsey	Warner
Fiero	Kelly	Manierre		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The President presented a communication from David Dudley Field, in reply to statement of John A. King and others, as Commissioners to Washington, which was laid on the table and ordered printed.

(See Doc. No. 68.)

The President announced as the select committee to which shall be referred Assembly claim bills on general orders, to report complete, Messrs. Truman, Lapham, Bell, Blood and Grant.

The Assembly bill entitled "An act requiring foreign insurance companies to make and file annual statements of their condition and affairs," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Hammond	Manierre	Richmond
Blood	Fiero	Hillhouse	Munroe	Sessions
Colvin	Gardiner	Kelly	P. P. Murphy	Warner
Connolly	Goss	Ketcham	Ramsey	

19

FOR THE NEGATIVE.

Robertson

1

Mr. Spinola moved to reconsider said vote, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Goss, from the select committee on apportionment, to which was re-committed the bill entitled "An act dividing the State into Congressional districts," reported back the same, with amendments, and said bill was committed to the committee of the whole.

The President announced the special order, being the bill entitled as follows:

"An act dividing the State into Congressional districts."

Mr. Hammond moved to postpone said special order for five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to lay on the table the order of business of third reading of bills, five minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Ferry moved to take from the table the motion to reconsider the vote on the Assembly bill entitled as follows:

"An act requiring foreign insurance companies to make and file annual statements of their condition and affairs."

Pending the question, the President announced the special order, being the bill entitled as follows:

"An act dividing the State into Congressional districts."

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The Senate again met.

By unanimous consent, Mr. Rotch called for the consideration of the concurrent resolution from the Assembly, in the words following:

Resolved, (if the Senate concur,) That there be printed of the Transactions of the American Institute for the year 1860, 25 copies for each member, officer and reporter of the Legislature; 750 copies for the said Institute; 20 copies for each county agricultural society in counties electing one member of Assembly, and a proportionate additional number in counties electing more than one member of Assembly; 10 copies for each town agricultural society, and 15 copies for each union agricultural society, and 50 copies for the Regents of the University, for exchange.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Rotch called for the consideration of the concurrent resolution from the Assembly, in the words following:

Resolved, (if the Senate concur,) That 1,000 copies of the Transactions of the State Agricultural Society be printed for the use of the society; 25 copies for each member and officer of the Legislature; 15 copies for each reporter of the Legislature; 20 copies for each agricultural society in counties electing one member of Assembly, and a proportionate additional number in counties electing more than one member of Assembly; 10 copies for each town agricultural society, and 15 copies for each union agricultural society; and 50 copies for the Regents of the University; and that said reports be printed and bound in the same manner as last year, and be printed and distributed in accordance with the foregoing resolution, without delay; and that the same be ready for distribution by the 1st of September.

The President put the question whether the Senate would agree to said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act giving the consent of the State of New York to the purchase by and ceding jurisdiction to the United States over certain lands within this State, to be occupied as sites of light houses, keepers' dwellings and fortifications, and their appurtenances."

"An act authorizing the Hudson West Shore railroad company to extend their road from the village of Nyack to the village of Warren."

"An act in relation to the Troy and Lansingburgh railroad company."

"An act authorizing the construction of a railroad through certain streets in the city of Syracuse and town of Geddes, in the county of Onondaga."

"An act to incorporate the Market Savings bank of Troy."

Ordered, That the Clerk return said bills to the Assembly.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the bill entitled as follows:

"An act dividing the State into Congressional districts."

After some time spent therein, the President resumed the chair, and Mr. Prosser, from said committee, reported in favor of the passage of said bill, without amendment.

The President put the question whether the Senate would agree to the report of the committee of the whole, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Munroe	Richmond	Sessions	
Ferry	Ketcham	P. P. Murphy	Robertson	Warner	
Fiero	Lapham	Prosser	Rotch	Williams	
Goss	McGraw	Ramsey			18

FOR THE NEGATIVE.

Abell	Colvin	Hammond	Montgomery	Spinola	
Blood	Gardiner	Hillhouse			9

Ordered, That said bill be engrossed for a third reading.

Mr. Spinola moved to lay the order of business of third reading of bill on the table, for fifteen minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Hammond moved to lay on the table for ten minutes.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Hammond moved to take from the table the following resolution:

Resolved, (if the Assembly concur,) That this Legislature will adjourn, *sine die*, on Wednesday the 10th day of April instant, at ten o'clock P. M.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to amend by striking out "on Wednesday the 10th day of April instant, at 10 o'clock P. M.," and inserting in lieu thereof the words "at 12 o'clock M., to-morrow."

Mr. Ramsey moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lawrence	J. M. Murphy	Rotch	
Connolly	Goss	McGraw	P. P. Murphy	Warner	
Ferry	Ketcham	Munroe	Ramsey		14

FOR THE NEGATIVE.

Abell	Grant	Manierre	Richmond	Spinola	
Colvin	Hammond	Montgomery	Robertson	Truman	
Gardiner	Hillhouse	Prosser	Sessions	Williams	15

Mr. Warner moved to amend the amendment, by striking out "12 o'clock to-morrow," and inserting in lieu thereof the words "11 o'clock to-night."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to said motion of Mr. Hammond, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	J. M. Murphy	Sessions	
Blood	Grant	Manierre	P. P. Murphy	Spinola	
Colvin	Hammond	Montgomery	Prosser	Truman	
Connolly	Hillhouse	Munroe	Richmond	Williams	
Gardiner					21

FOR THE NEGATIVE.

Bell	Kelly	Ramsey	Rotch	Warner
Fiero	McGraw			

The President then put the question whether the Senate would agree to the adoption of said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk deliver said resolution to the Assembly, and request their concurrence therein.

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government," with a message that they had agreed to the report of the committee of conference, with the exception of the extra compensation of the clerks of the Senate and Assembly; the extra appropriation to the proprietors of the Delavan House; the appropriation to the Genesee College, and the extra compensation to the messengers of the Senate and Assembly.

Mr. Spinola raised the point of order that the Assembly must adopt the report of the conference committee as a whole, and could not divide it.

The President decided the point of order well taken.

Mr. Prosser moved that the Senate insist upon their amendments, and ask for a new committee of conference.

Mr. Spinola called for a division of the question.

The President put the question whether the Senate would agree to so much of said motion as relates to insisting, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Prosser	Rotch
Blood	Gardiner	Lawrence	Ramsey	Sessions
Colvin	Goss	Manierre	Richmond	Spinola
Connolly	Hammond	Munroe	Robertson	Williams
Ferry	Kelly	J. M. Murphy		

23

FOR THE NEGATIVE.

Bell	Hillhouse	Montgomery	Truman	Warner
Grant	McGraw	P. P. Murphy		

8

The President then put the question whether the Senate would agree to so much of said motion as relates to committee of conference, and it was decided in the negative.

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate insist upon their amendments.

Mr. Goss moved to reconsider the vote in relation to adjournment, and to lay that motion on the table.

Pending the question, the hour of six o'clock having arrived, the President declared the Senate adjourned.

SATURDAY, APRIL 13, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Meeker.

On motion of Mr. Fiero, the reading of the journal was dispensed with.

Mr. Ferry, from the select committee of eight, reported the following entitled Assembly bills, as proper to be referred to the committees reporting them, with power to report complete, to wit:

"An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in said town, of the width of two rods."

"An act to legalize and confirm the acts and proceedings of the commissioners of highways and boards of town auditors of the towns of Schroepel and Granby, in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the boards of town auditors of said towns to audit any sums remaining due to the contractor for said work."

"An act in relation to the number of superintendents of the poor in the county of Oswego."

"An act to authorize and establish a jail or lock-up in the village of West Troy, in the county of Albany."

"An act to incorporate the Mount Vernon Savings bank."

"An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries, passed April 17, 1857,' and an act amendatory of the same, passed April 18, 1859."

"An act to give power to the trustees of the Troy University to compromise and settle unpaid subscriptions and pending actions."

"An act to amend chapter 275 of the Laws of 1850, entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850."

"An act to legalize the acts of Elijah Philips as justice of the peace."

"An act to repeal a part of section 3, chapter 213 of Laws of 1860, entitled 'An act to provide means for the completion of the canals of this State and fully supply them with water, and for other purposes.'"

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Montgomery, from the committee on engrossed bills, reported as correctly engrossed, the bill entitled as follows:

"An act dividing the State into Congressional districts."

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act to amend section one, of chapter 400 of Laws of 1860, entitled 'An act for the relief of Lewis Benedict, for canal damages,' passed April 14, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the appraisal of damages to David Cady Smith and others," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Smith A. Waterman and others," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Addison G. Williams, Milton T. Butts and Peter B. Williams," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Albert H. King," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Walter R. Milliken," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to Gilbert Wolven," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Jacob Fonda," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the appraisal and payment of canal damages to John M. Vanderbosch," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Catharine Storms," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Sarah Everson," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Noone and Fitzgerald," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act to authorize the appraisal and payment of canal damages to Nathan Marble," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of the owners of land taken by the corporation of the city of Brooklyn, for the opening of Mount Prospect square," with power to report complete, reported the same complete.

Mr. Gardiner moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Colvin	Hammond	McGraw	Munroe	Prosser	
Connolly	Hillhouse	Manierre	J. M. Murphy	Truman	
Gardiner	Lawrence	Montgomery	P. P. Murphy		14

FOR THE NEGATIVE.

Abell	Fiero	Ketcham	Richmond	Spinola	
Bell	Grant	Lapham	Rotch	Warner	
Blood	Kelly	Ramsey	Sessions	Williams	15

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act authorizing the Canal Commissioners to construct a ditch or a canal sewer, from a point near Nelson street in the city of Rochester, into the Erie canal, below the Brighton lock," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Stephen Van Alstine, for canal damages," reported adversely thereto, which report was agreed to, and said bill rejected.

Mr. Munroe, from the committee on banks, to which was referred the Assembly bill entitled "An act to incorporate the Mount Vernon Savings bank," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The Assembly bill entitled "An act for the relief of Hannah Russell," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, two-thirds of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	McGraw	Ramsey	Spinola
Blood	Hammond	Manierre	Robertson	Truman
Ferry	Hillhouse	J. M. Murphy	Rotch	Warner
Fiero	Ketcham	P. P. Murphy	Sessions	Williams
Goss	Lawrence			

22

FOR THE NEGATIVE.

Lapham	Montgomery	Richmond
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Prosser moved to take from the table the Assembly bill entitled "An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Munroe	Prosser	Rotch
Ferry	McGraw	P. P. Murphy	Ramsey	Williams
Goss	Montgomery			

12

FOR THE NEGATIVE.

Abell	Fiero	Hammond	Lawrence	Truman
Blood	Gardiner	Ketcham	Robertson	Warner
Colvin	Grant	Lapham	Sessions	

14

The Assembly returned the bill entitled "An act making appropriations for certain expenses of government," with a message that they had concurred in the item relating to the appropriation to the proprietors of the Delavan House, and the item giving extra compensation to the messengers of the Senate and Assembly, and insist in their non-concurrence in the remaining items at issue between the two Houses.

Mr. Hammond moved that the Senate recede from said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Montgomery	Ramsey
Bell	Goss	Lapham	Munroe	Rotch

Blood	Grant	Lawrence	P. P. Murphy	Sessions
Ferry	Hammond	McGraw	Prosser	Williams
Fiero	Hillhouse			

22

FOR THE NEGATIVE.

Colvin	Spinola	Truman	
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have receded from their amendments.

Mr. Ferry moved to take from the table the motion to reconsider the vote on the Assembly bill entitled "An act requiring foreign insurance companies to make and file annual statements of their condition and affairs."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	P. P. Murphy	Rotch
Bell	Fiero	McGraw	Prosser	Truman
Blood	Hillhouse	Montgomery	Ramsey	Warner
Colvin	Ketcham			

17

FOR THE NEGATIVE.

Hammond	Kelly	Lawrence	J. M. Murphy	Spinola
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3

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Kelly	Lawrence	J. M. Murphy	Robertson	Spinola
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5

FOR THE NEGATIVE.

Bell	Fiero	McGraw	P. P. Murphy	Rotch
Blood	Grant	Manierre	Prosser	Sessions
Colvin	Hillhouse	Montgomery	Ramsey	Warner
Ferry	Ketcham	Munroe		

13

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Seneca Falls Savings Bank at Seneca Falls, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Ketcham	P. P. Murphy	Sessions
Ferry	Grant	McGraw	Prosser	Truman
Fiero	Hammond	Montgomery	Ramsey	Williams
Gardiner	Hillhouse	Munroe	Rotch	

19

FOR THE NEGATIVE.

Colvin	Kelly		
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

By unanimous consent, Mr. Sessions moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to provide means to support the government," and that the same now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	McGraw	Ramsey	Sessions
Bell	Goss	Munroe	Richmond	Truman
Ferry	Hillhouse	P. P. Murphy	Robertson	Warner
Fiero	Lapham	Prosser	Rotch	Williams

20

FOR THE NEGATIVE.

Colvin	Montgomery
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act entitled an act to amend an act concerning the proof of wills, executors and administrators, guardians, and wards, and surrogate courts, passed May 16, 1837," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Hammond	Lapham	Munroe	Robertson
Bell	Hillhouse	Lawrence	Prosser	Rotch
Colvin	Kelly	McGraw	Ramsey	Warner
Ferry	Ketcham	Montgomery	Richmond	Williams
Goss				

21

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The Assembly bill entitled "An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Ketcham	P. P. Murphy	Sessions
Bell	Fiero	Lawrence	Prosser	Truman
Blood	Goss	McGraw	Ramsey	Warner
Colvin	Hillhouse	Montgomery	Richmond	Williams
Connolly	Kelly	Munroe	Robertson	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in addition to, and in amendment of an act entitled 'An act to provide for the payment of certain claims against the city of Brooklyn,' passed April 7, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Ramsey	Sessions
Blood	Kelly	Munroe	Richmond	Spinola
Fiero	Ketcham	J. M. Murphy	Robertson	Truman
Gardiner	Lawrence	Prosser	Rotch	Warner
Goss	McGraw			

22

Ordered, That the Clerk return said bill to the Assembly, with

sage informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the Revised Statutes in relation to trials by jury," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	Munroe	Rotch
Bell	Gardiner	Ketcham	Prosser	Sessions
Blood	Goss	Lawrence	Ramsey	Warner
Colvin	Grant	McGraw	Richmond	Williams
Ferry	Hammond	Montgomery	Robertson	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to constables in the city of Brooklyn," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Prosser	Sessions
Bell	Goss	McGraw	Ramsey	Spinola
Colvin	Grant	Manierre	Richmond	Truman
Connolly	Hammond	Montgomery	Robertson	Warner
Ferry	Hillhouse	Munroe	Rotch	Williams
Fiero	Kelly			

27

FOR THE NEGATIVE.

Lapham 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Smith Hall Association, in Manlius village," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE

Abell	Fiero	Lapham	Montgomery	Rotch
Bell	Gardiner	Ketcham	Munroe	Sessions
Colvin	Goss	Lawrence	Prosser	Warner
Connolly	Grant	McGraw	Ramsey	Williams
Ferry	Hillhouse	Manierre		

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to promote agriculture, passed May 5, 1841,' and the acts amendatory thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Robertson
Connolly	Goss	Lawrence	P. P. Murphy	Rotch
Ferry	Hammond	McGraw	Prosser	Sessions
Fiero	Hillhouse	Montgomery	Ramsey	Warner

20

FOR THE NEGATIVE.

Abell	Colvin
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' so far as relates to the village of Valatie, in the county of Columbia,' passed April 6, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	J. M. Murphy	Rotch
Bell	Grant	Lawrence	P. P. Murphy	Sessions
Connolly	Hammond	McGraw	Prosser	Truman
Ferry	Hillhouse	Montgomery	Richmond	Warner
Fiero	Ketcham	Munroe	Robertson	Williams
Gardiner				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to lay out and construct a road from the State pond, at the head of the Black river canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township No. 6, Moose river tract, in Herkimer county,' passed April 18, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Ramsey	Sessions
Connolly	Hammond	Montgomery	Richmond	Truman
Ferry	Hillhouse	Munroe	Robertson	Warner
Fiero	Ketcham	P. P. Murphy	Rotch	Williams
Gardiner	Lapham	Prosser		

23

FOR THE NEGATIVE.

Abell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to organize and establish a recorder's court in the city of Buffalo and for other purposes, passed April 20, 1839, amended March 28, 1854,' organizing the superior court of Buffalo," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Ketcham	Munroe	Sessions
Bell	Grant	Lapham	Prosser	Truman
Connolly	Hammond	Lawrence	Ramsey	Warner
Ferry	Hillhouse	McGraw	Richmond	Williams
Fiero	Kelly	Montgomery	Rotch	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled 'An act in relation to school district No. 18, in the town of Fishkill,' was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Manierre	Rotch
Bell	Gardiner	Ketcham	Munroe	Truman
Colvin	Goss	Lapham	Prosser	Warner
Connolly	Hammond	Lawrence	Ramsey	Williams
Ferry	Hillhouse	McGraw	Robertson	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly amendments to the bill entitled "An act supplementary to an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," reported in favor of said amendments, with a further amendment, as follows:

Insert the following as section 6, viz:

"§ 6. Nothing contained in this act shall be construed to authorize the use of steam on any street or avenue in the city of Brooklyn."

Change the number of section 6, engrossed bill to section 7.

Mr. Lapham moved to recommit said report to the committee on the incorporation of cities and villages.

Mr. Fiero moved to lay the report on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

The third reading of the Assembly bill entitled "An act in relation to the Union Free School in the village of Hamilton, in the county of Madison," having been announced—

Mr. Spinola moved to lay said bill aside.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Gardiner	Spinola	2
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FOR THE NEGATIVE.

Bell	Goss	Lapham	P. P. Murphy	Rotch
Blood	Grant	Manierre	Prosser	Sessions
Colvin	Hillhouse	Montgomery	Ramsey	Warner
Ferry	Ketcham	Munroe	Richmond	Williams
Fiero				21

Mr. Spinola moved to recommit said bill, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Gardiner	Hammond	Sessions	Spinola	4
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FOR THE NEGATIVE.

Abell	Fiero	Lapham	P. P. Murphy	Robertson
Bell	Grant	Manierre	Prosser	Rotch
Blood	Hillhouse	Montgomery	Ramsey	Truman
Colvin	Kelly	Munroe	Richmond	Warner
Ferry	Ketcham			22

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lawrence	P. P. Murphy	Sessions
Bell	Goss	McGraw	Prosser	Spinola
Blood	Hammond	Manierre	Ramsey	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Kelly	Munroe	Rotch	Williams
Fiero	Lapham			27

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Hammond moved to take from the table the report of the committee on the Assembly amendments to the bill entitled "An act supplementary to the act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Munroe	Rotch
Colvin	Goss	McGraw	Prosser	Sessions
Connolly	Grant	Manierre	Ramsey	Spinola
Fiero	Kelly	Montgomery	Robertson	Truman
				20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments, with further amendments thereto.

The Assembly bill entitled "An act for the appraisal and payment of canal damages to David Cady Smith and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Sessions
Bell	Goss	Lawrence	P. P. Murphy	Truman
Colvin	Grant	McGraw	Prosser	Warner
Ferry	Hammond	Manierre	Ramsey	Williams
Fiero	Hillhouse	Montgomery	Richmond	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend section 1, of chapter 400 of Laws of 1860, entitled 'An act for the relief of Lewis Benedict, for canal damages,' passed April 14, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	Munroe	Richmond
Bell	Gardiner	Lapham	P. P. Murphy	Rotch
Colvin	Goss	McGraw	Prosser	Sessions
Ferry	Hammond	Montgomery	Ramsey	Warner

20

FOR THE NEGATIVE.

Grant

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Smith A. Waterman and others," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Munroe	Robertson
Blood	Goss	McGraw	Prosser	Sessions
Colvin	Hammond	Manierre	Ramsey	Warner
Connolly	Hillhouse	Montgomery	Richmond	Williams
Ferry	Kelly			

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Jacob Fonda," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Prosser	Sessions
Bell	Fiero	Ketcham	Ramsey	Truman
Blood	Gardiner	Lapham	Richmond	Warner
Colvin	Grant	Munroe	Robertson	Williams
Connolly	Hammond	P. P. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the appraisal and payment of canal damages to John W. Vanderbosch," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hillhouse	Munroe	Truman
Colvin	Gardiner	Lapham	Ramsey	Warner

Connolly	Goss	McGraw	Robertson	Williams	
Ferry	Hammond	Manierre	Sessions		19

FOR THE NEGATIVE.

Richmond 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Addison G. Williams, Milton T. Butts and Peter B. Williams," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	P. P. Murphy	Truman	
Connolly	Hammond	Lawrence	Prosser	Warner	
Ferry	Hillhouse	McGraw	Robertson	Williams	
Fiero	Kelly	Munroe	Sessions		19

FOR THE NEGATIVE.

Ramsey 4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Albert H. King," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	P. P. Murphy	Sessions	
Blood	Goss	Lawrence	Prosser	Spinola	
Connolly	Hammond	McGraw	Richmond	Warner	
Ferry	Kelly	Manierre	Robertson	Williams	
Fiero	Ketcham	Munroe			23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Noone and Fitzgerald," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	McGraw	Rotch	
Bell	Gardiner	Kelly	Manierre	Sessions	
Blood	Goss	Lapham	P. P. Murphy	Spinola	
Colvin	Hammond	Lawrence	Robertson	Williams	
Connolly					21

FOR THE NEGATIVE.

Truman 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to authorize the appraisal and payment of canal damages to Nathan Marble," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lawrence	P. P. Murphy	Rotch
Bell	Hammond	Manierre	Prosser	Sessions
Blood	Hillhouse	Montgomery	Ramsey	Truman
Connolly	Kelly	Munroe	Robertson	Williams
Gardiner	Lapham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act authorizing and directing the Canal Commissioners to construct a ditch, or a canal sewer, from a point near Nelson street, in the city of Rochester, into the Erie canal, below the Brighton lock," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Hammond	Munroe	Richmond
Bell	Fiero	Hillhouse	Prosser	Warner
Blood	Gardiner	Kelly	Ramsey	Williams
Connolly	Goss	Lapham		

18

FOR THE NEGATIVE.

Grant	Manierre	Sessions	8
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Catharine Storms," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Manierre	Sessions
Bell	Gardiner	Lapham	Montgomery	Truman
Blood	Goss	Lawrence	Munroe	Warner
Connolly	Hillhouse	McGraw	Prosser	Williams
Ferry				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the appraisal and payment of canal damages to Gilbert Wolven," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Rotch
Bell	Goss	Lawrence	P. P. Murphy	Truman
Blood	Hillhouse	McGraw	Prosser	Warner
Connolly	Kelly	Manierre	Ramsey	Williams

20

FOR THE NEGATIVE.

Ketcham Montgomery

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Sarah D. Everson," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Lapham	Munroe	Robertson	
Blood	Goss	Lawrence	P. P. Murphy	Rotch	
Ferry	Kelly	McGraw	Prosser	Truman	
Fiero	Ketcham	Manierre	Ramsey	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the appraisal and payment of canal damages to Walter R. Milliken," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	P. P. Murphy	Truman	
Bell	Goss	Lawrence	Prosser	Warner	
Blood	Hillhouse	Manierre	Rotch	Williams	
Ferry	Kelly	Munroe	Sessions		19

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to establish and regulate a ferry across Sodus bay, in the town of Huron, in the county of Wayne," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries, passed April 17, 1857, and an act amendatory of the same,' passed April 18, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act in relation to the number of superintendents of the poor in the county of Oswego," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the use of piers number 32 and number 33, East river, and the bulkhead and slip between said piers, in the city of New York," reported in favor of the passage of the same.

On motion of Mr. J. M. Murphy and by unanimous consent, the rules

were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, and the New York delegation, to which was referred the Assembly bill entitled "An act providing for the amendment of the charter of the city of New York, and for the submission of the same to the people thereof," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to establish a jail or lock-up in the village of West Troy, in the county of Albany," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Atlantic avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed March 21, 1860," reported in favor of the passage of the same.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to prevent unsafe buildings in the city of New York,' reported in favor of the passage of the same, with amendments.

On motion of Mr. J. M. Murphy, and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages to which was referred the Assembly bill entitled "An act for the relief of Geo. Fredericks, of the city of New York," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

By unanimous consent, Mr. Goss moved that the committee on agriculture, to which was referred the Assembly bill entitled "An act to enable the Monroe County Agricultural Society to convey and dispose of its real and personal property," have power to report the same complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Goss moved that the following entitled Assembly bills, be recommitted to appropriate standing committees, with power to report complete, to wit:

"An act to authorize the construction and maintenance of a bridge over the Genesee Valley canal, at Atkinson street, in the city of Rochester."

"An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo."

"An act to authorize the construction of a stone arch bridge over the State ditch, in the town of Lysander, at Jack's Reefs."

"An act to authorize the Canal Commissioners to drain lands overflowed by backwater from Black Rock harbor."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Colvin, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 275 of the Laws of 1860, entitled 'An act relative to the public health in the city of New York,' passed

April 10, 1850," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in the said town, of the width of two rods," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. J. M. Murphy, from the committee on commerce and navigation, to which was referred the Assembly bill entitled "An act to regulate the use of piers number 32 and number 33, East river, and the bulkhead and slip between said piers, in the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Bell, from the committee on canals, to which was referred the Assembly bill entitled "An act to repeal a certain part of section 3, chapter 213 of the Laws of 1860, entitled 'An act to provide means for the completion of the canals of this State and fully supply them with water, and for other purposes,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Bell, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river at Oswego Falls,' passed June 30, 1851," reported in favor of the passage of the same.

On motion of Mr. Warner and by unanimous consent, the rules were suspended, and said bill was recommitted to the same committee, to report complete.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Atlantic avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed March 21, 1860," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Bell, from the select committee of eight, reported the following entitled Assembly bills as proper to be taken from the general orders and recommitted to the several committees reporting them, to report complete, to wit:

"An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river at Oswego Falls,' passed June 30, 1851."

"An act for the relief of George Fredericks, of the city of New York."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be recommitted to the standing committees reporting them, with power to report complete.

Mr. Montgomery, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act for the protection and improvement of the Tonawanda band of Seneca Indians, residing on the Tonawanda Reservation in this State," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Grant moved to take from the table the re-

port of the committee to investigate charges against certain New York Harbor Masters.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of the following resolution, and it was decided in the affirmative, to wit :

Resolved, That as charges of gross intemperance and habitual drunkenness, receiving illegal fees, neglect of duty, and abuse of trust, have been established against Harbor Master John S. Anable, that a respectful message be communicated to the Executive of the State, requesting his immediate removal from office.

Ordered, That the Clerk deliver said resolution to the Governor.

The President then put the question whether the Senate would agree to the adoption of the following resolution, and it was decided in the affirmative, to wit :

Resolved, That the select committee appointed to investigate charges of malfeasance in office, made against New York Harbor Masters, be authorized (if in their judgment the best interests of the State demand it,) to continue and conclude their investigation during the recess of the Legislature, and extend the same to the examination of charges against the Port Wardens of the port of New York ; and that said committee have power to send for persons and papers, and furnish an early report to the Governor of the State, and the next Legislature.

By unanimous consent, Mr. Spinola moved that the select committee consisting of the New York delegation and the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate the expenditure thereof ; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes," have power to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river at Oswego Falls,' passed June 30, 1851," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act to furnish arms and equipments for the militia of the State, and for the public defence," with a message that they had passed the same, with the following amendments :

Amend section 1, so as to read as follows :

"Sec. 1. The sum of \$500,000 is hereby appropriated for the purposes hereinafter specified."

Amend section 2, so as to read as follows :

"Sec. 2. The money hereby appropriated may be expended under the direction of the Commander-in-Chief, Lieutenant Governor, Secretary of State, Attorney General and Comptroller, in such manner as they shall deem most appropriate for the purpose of efficiently arming the militia of the State, and providing for the public defence ; but no part of the money hereby appropriated shall be expended, unless in the opinion of said officers there will be a necessity for using the same or a portion thereof, before the next session of the Legislature."

Mr. Lapham moved that the Senate concur in said amendments,

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	J. M. Murphy	Rotch
Bell	Goss	Lapham	P. P. Murphy	Sessions
Blood	Grant	McGraw	Prosser	Spinola
Colvin	Hammond	Manierre	Ramsey	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Kelly	Munroe	Robertson	Williams

30

FOR THE NEGATIVE.

Lawrence

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act relative to contracts by the mayor, aldermen and commonalty of the city of New York," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out all from the word "act" on line 14 of the first section, to the end of the section, and insert the following:

"The power and authority now vested in the common council of said city relative to assessment lists, and the confirmation thereof, is hereby devolved upon and vested exclusively in the comptroller, counsel to the corporation, and recorder of said city, who together, shall constitute a board of revision and correction of all such assessment lists, and a vote of a majority of such board shall decide all questions in regard thereto. The revision of such assessment lists shall be made without delay, so that the same shall be confirmed within thirty days from the time they shall respectively be presented for confirmation, and if not so confirmed, they shall be deemed to be confirmed. They shall be deemed to be confirmed at the expiration of thirty days from the time they shall be respectively so presented for confirmation. All assessment lists pending before the common council for confirmation at the time of the passage of this act, shall be forthwith presented to the said board of revision and correction for confirmation, as herein provided."

Mr. Manierre moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	Prosser	Sessions
Bell	Grant	McGraw	Ramsey	Spinola
Connolly	Hammond	Manierre	Richmond	Truman
Ferry	Hillhouse	Montgomery	Robertson	Warner
Fiero	Kelly	P. P. Murphy	Rotch	Williams
Gardiner				

26

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The hour of fifteen minutes to two having arrived, the Senate took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The Senate again met.

The Assembly returned the bill entitled "An act relative to Saint Stephen's College," with a message that they had concurred in the passage of the same, with the following amendment:

At the end of Section 2, add the following :

"The last paragraph of the fifth section of the original charter of the said college is hereby repealed."

Mr. Ketcham moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	Prosser	Sessions
Blood	Goss	Manierre	Ramsey	Spinola
Connolly	Hammond	Montgomery	Richmond	Truman
Ferry	Hillhouse	Munroe	Robertson	Williams
Fiero	Kelly	J. M. Murphy	Rotch	24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents," with a message that they had concurred in the passage of the same, with the following amendments :

Amend section 1, in line 2 thereof after the word "fix" add the following words :

"By a vote of two-thirds of the members elected thereto."

After the word "of" in same line, insert "either or both of."

Mr. Colvin moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	P. P. Murphy	Sessions
Bell	Goss	Lawrence	Prosser	Spinola
Blood	Hammond	Manierre	Robertson	Truman
Colvin	Kelly	Munroe	Rotch	Warner
Fiero	Ketcham			22

FOR THE NEGATIVE.

Connolly	Montgomery	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to divide school district No. 2, of the town of Yonkers, into separate districts, and to constitute and define the powers of the board of education, in the new district," with a message that they had concurred in the passage of the same, with the following amendments :

Amend the 5th section, 2d line, after the word "full" by striking out the words "pro rata of the" and inserting the words "share of school."

Also, amend the 2d and 3d lines, by striking out the words "free school fund" and inserting "distribution made by the Superintendent of Public Instruction."

Also, in the 6th section, 2d line, between the words "district" and the words "as" insert the words "number two."

Mr. Robertson moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Prosser	Truman
Connolly	Goss	Lawrence	Robertson	Warner
Ferry	Hammond	Montgomery	Rotch	Williams
Fiero	Ketcham	Munroe	Sessions	19

FOR THE NEGATIVE.

Blood	J. M. Murphy	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to authorize the common council of the city of Rochester to raise money for the purpose of widening the bridge over the Genesee river, at Main street, in said city."

"An act in relation to the doings of the board of supervisors of the county of Jefferson, under the act passed April 15, 1859, authorizing said board to levy a tax on the town of Watertown, to purchase a site for a new court house in the village of Watertown, and to amend said act."

"An act to amend chapter 398 of the Laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould.'"

"An act to divide election district number one, of the town of Plattsburgh, Clinton county."

"An act in relation to the abatement of nuisances in the city of Troy."

"An act authorizing the trustees of the village of Flushing to convey certain lots for a town hall."

"An act authorizing William Griffin to convey by deed his title to a certain house and lot in the village of Plattsburgh to the trustees of the first Methodist Episcopal church of said village."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to establish a nautical school in the harbor of the city of New York," with a message that they had concurred in the passage of the same, with the following amendments:

After "school" on 21st line, insert "with the consent of his parents or guardians."

Mr. Spinola moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lawrence	Prosser	Spinola
Connolly	Hammohd	Manierre	Robertson	Truman
Ferry	Kelly	Montgomery	Rotch	Warner
Fiero	Ketcham	Munroe	Sessions	Williams
Gardiner	Lapham	J. M. Murphy		

23

FOR THE NEGATIVE.

Abell

1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the following entitled bills:

"An act to authorize a part of the records and filed deeds of the counties of Oneida and Herkimer, to be transcribed and deposited in the clerk's office of the county of Jefferson."

"An act to amend chapter 774 of the Laws of 1857, entitled 'An act in relation to the Coles or Harlem bridge at the termination of the Third avenue, in the city of New York.'"

"An act for the relief of Augusta Reubell."

"An act to amend the charter of the Long Island railroad company."

"An act to incorporate the Zeta Phi Fraternity, in the village of Delhi."

"An act to amend an act to incorporate the Long Island steamboat company, passed April 11, 1860."

Ordered, That the Clerk deliver said bills to the Governor.

The Assembly returned the bill entitled "An act to confirm the acts of

notaries public, and increase their powers," with a message that they had concurred in the passage of the same, with the following amendments:

Strike out the second section.

Change the number of section 3 to section 2.

Amend the title by striking out the words "and increase their powers."

Mr. Warner moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Grant	Manierre	Prosser	Spinola
Ferry	Kelly	Montgomery	Rotch	Warner
Gardiner	Lapham	J. M. Murphy	Sessions	Williams
Goss	McGraw	P. P. Murphy		

13

FOR THE NEGATIVE.

Bell	Hammond	Ketcham	Richmond	Truman
Connolly				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

The Assembly returned the bill entitled "An act to abolish the commission appointed by chapter 597 of the Laws of 1857, and chapter 176 of the Laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812," with a message that they had agreed to the report of the committee of conference on said bill.

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the bill entitled "An act to amend the Revised Statutes in respect to highways," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 4, engrossed bill, after word "highway" strike out the words "already laid out," and insert in lieu thereof the following: "and private road already laid out and dedicated to the use of the public."

Section 2, line 2, strike out the words "laid out" and insert in lieu thereof the following: "and private road laid out and dedicated to the use of the public."

Mr. Robertson moved that the Senate concur in said amendments.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Kelly	Montgomery	Robertson
Bell	Gardiner	Ketcham	Munroe	Sessions
Connolly	Goss	McGraw	Prosser	Warner
Ferry	Hammond	Manierre	Richmond	

19

FOR THE NEGATIVE.

Lapham	
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1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bills:

"An act to amend article 3d of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'Of voluntary assignments, made pursuant to the application of an insolvent and his creditors;' also, article 7 of title 1 of chapter 5 of part 2d of the Revised Statutes, entitled 'General provisions applicable to proceedings under the several preceding articles, or some of them.'"

"An act to amend an act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857."

"An act for the relief of the Susquehanna Seminary."

By unanimous consent, Mr. Hammond offered the following resolution:

Resolved. (if the Assembly concur,) That this Legislature will adjourn, *sine die*, on Saturday, 18th instant, at 10 o'clock P. M.

Mr. Robertson moved to amend by striking out "10" and inserting "11."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	Ramsey	Spinola	
Colvin	Grant	Montgomery	Robertson	Truman	
Connolly	Hammond	Prosser	Sessions	Williams	15

FOR THE NEGATIVE.

Bell	Goss	Lawrence	Munroe	Richmond	
Blood	Hillhouse	McGraw	J. M. Murphy	Rotch	
Ferry	Ketcham	Manierre	P. P. Murphy	Warner	
Fiero	Lapham				17

The Assembly bill entitled "An act to amend an act entitled 'An act to lay out a public park and parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	J. M. Murphy	Sessions	
Connolly	Goss	Manierre	Ramsey	Spinola	
Ferry	Hillhouse	Montgomery	Richmond	Warner	
Fiero	Kelly	Munroe	Robertson	Williams	20

FOR THE NEGATIVE.

Hammond					1
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act for the relief of George Fredericks, of the city of New York," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The Assembly bill entitled "An act to incorporate the Metropolitan Fair Ground company, of Westfield, Chautauqua county, New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Ketcham	Munroe	Rotch	
Blood	Gardiner	McGraw	Prosser	Sessions	
Colvin	Goss	Manierre	Ramsey	Spinola	
Connolly	Hillhouse	Montgomery	Richmond	Warner	
Ferry	Kelly				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to operators and others in the employ of telegraph companies in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	P. P. Murphy	Sessions
Blood	Goss	Lawrence	Prosser	Spinola
Colvin	Grant	McGraw	Ramsey	Truman
Connolly	Hillhouse	Manierre	Robertson	Warner
Ferry	Kelly	Montgomery	Rotch	Williams
Fiero	Ketcham	Munroe		

28

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill :

"An act to reduce the number of overseers of the poor, in the county of Ontario, and to fix the salary for the performance of the duties of the office in the town of Seneca, in said county," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hillhouse and by unanimous consent, the rules were suspended, and said bill was referred to the committee on internal affairs of towns and counties, to report complete.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the Canal Commissioners to drain and restore lands overflowed by backwater from Black Rock harbor and the draining of Skajaquada creek, in the city of Buffalo," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to authorize the construction of a stone arch bridge over the State ditch, in the town of Lysander, at Jack's Reefs," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on internal affairs of towns and counties, to which was referred the Assembly bill entitled "An act to reduce the number of overseers of the poor in the county of Ontario, and to fix the salary for the performance of the duties of the office in the town of Seneca, in said county," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction and maintenance of a bridge over the Genesee valley canal, at Atkinson street, in the city of Rochester," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Prosser, from the committee on canals, to which was referred the Assembly bill entitled "An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Robertson moved to postpone the order of business of third reading of bills, indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

McGraw	Munroe	J. M. Murphy	Richmond	Robertson
Montgomery				

6

FOR THE NEGATIVE.

Bell	Fiero	Hillhouse	Manierre	Sessions
Blood	Gardiner	Kelly	Prosser	Spinola
Colvin	Grant	Lapham	Ramsey	Truman
Connolly	Hammond	Lawrence	Rotch	Warner
Ferry				

21

By unanimous consent, Mr. Truman moved that the senate hold a session this evening, commencing at 7 o'clock, and adjourn at 11 o'clock, unless otherwise ordered.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed April 12, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	Prosser	Robertson
Colvin	Kelly	Manierre	Ramsey	Sessions
Connolly	Lapham	Montgomery	Richmond	Spinola
Fiero	Lawrence	J. M. Murphy		

18

FOR THE NEGATIVE.

Goss	Ketcham	Munroe	Rotch	Warner
Grant				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

Mr. Hammond offered the following resolution:

Resolved, That this order of business be suspended until the motion to adjourn be disposed of, immediately after which the third reading of bills be resumed.

The President put the question whether the Senate would agree to said resolution, and it was decided in the negative.

The Assembly bill entitled "An act to further amend an act entitled 'An act to provide for the incorporation of villages, passed December 7, 1847,' as far as the same relates to the village of Tonawanda, Erie county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	Montgomery	Richmond
Bell	Fiero	Lawrence	Munroe	Rotch
Blood	Gardiner	McGraw	Prosser	Sessions
Colvin	Goss	Manierre	Ramsey	Warner
Connolly	Ketcham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to authorize 'The Coney Island and Brooklyn railroad company' to construct their road, and to lay thereon rails of less weight than required by the general railroad act, and to widen and re-construct the bridge at Coney Island," was read a third time.

The President put the question whether the Senate would agree to the

final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Prosser	Spinola
Bell	Gardiner	Manierre	Richmond	Truman
Blood	Hillhouse	Montgomery	Rotch	Warner
Connolly	Ketcham	Munroe	Sessions	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act providing for the amendment of the charter of the city of New York, and the submission of the same to the people thereof," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Goss	Montgomery	Ramsey	Spinola
Colvin	Hammond	Munroe	Richmond	Truman
Connolly	Kelly	J. M. Murphy	Rotch	Warner
Ferry	Ketcham	P. P. Murphy	Sessions	Williams
Fiero	Manierre	Prosser		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act in relation to the number of superintendents of the poor in the county of Oswego," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Munroe	Sessions
Blood	Gardiner	Lawrence	Prosser	Truman
Colvin	Goss	Manierre	Ramsey	Warner
Connolly	Hillhouse	Montgomery	Rotch	Williams
Ferry	Kelly			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries, passed April 17, 1857, and an act amendatory of the same,' passed April 18, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Blood	Hillhouse	McGraw	J. M. Murphy	Rotch
Colvin	Kelly	Manierre	Ramsey	Sessions
Ferry	Lapham	Montgomery	Richmond	Warner
Gardiner	Lawrence	Munroe	Robertson	Williams
Goss				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to reduce the number of overseers

of the poor in the county of Ontario, and to fix the salary for the performance of the duties of the office in the town of Seneca, in said county," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	Munroe	Rotch	
Blood	Gardiner	Lapham	P. P. Murphy	Sessions	
Colvin	Goss	Lawrence	Prosser	Truman	
Ferry	Grant	Montgomery	Richmond	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to establish and regulate a ferry across Sodus bay, in the town of Huron, in the county of Wayne," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Goss	Lapham	Prosser	Sessions	
Blood	Grant	McGraw	Ramsey	Truman	
Colvin	Hammond	Montgomery	Richmond	Warner	
Ferry	Hillhouse	Munroe	Rotch	Williams	
Fiero	Ketcham				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to authorize the construction and maintenance of a bridge over the Genesee valley canal, at Atkinson street, in the city of Rochester," having been announced—

Mr. Truman moved to recommit said bill, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Montgomery	Sessions	
Blood	Grant	Lapham	Richmond	Truman	
Colvin	Hammond				12

FOR THE NEGATIVE.

Bell	Goss	McGraw	P. P. Murphy	Warner	
Connolly	Hillhouse	Munroe	Prosser	Williams	
Ferry	Lawrence	J. M. Murphy	Spinola		14

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Lawrence	J. M. Murphy	Ramsey	Spinola	
Ferry	McGraw	P. P. Murphy	Robertson	Warner	
Goss	Munroe	Prosser			13

FOR THE NEGATIVE.

Abell	Connolly	Grant	Lapham	Sessions	
Blood	Fiero	Hammond	Montgomery	Truman	
Colvin	Gardiner	Ketcham	Richmond	Williams	15

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide for the widening of Atlantic avenue, in the city of Brooklyn, and to establish a public drive and promenade in said avenue,' passed March 24, 1860," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	McGraw	Ramsey	Sessions
Blood	Hammond	Munroe	Robertson	Spinola
Connolly	Hillhouse	J. M. Murphy	Rotch	Truman
Fiero	Lawrence	Prosser		

18

FOR THE NEGATIVE.

Grant	Warner
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2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Prosser moved to take from the table the Assembly bill entitled "An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Hammond moved to lay the order of business of third reading of bills on the table, for the purpose of introducing a resolution for adjournment *sine die*.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, two-thirds of all the Senators present voting in favor thereof.

Mr. Sessions moved to reconsider the vote on the concurrent resolution to adjourn *sine die*, at 10 o'clock this night.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Blood	Grant	Lawrence	Rotch	Spinola
Colvin	Hammond	Montgomery	Sessions	Truman
Gardiner	Lapham	Prosser		

13

FOR THE NEGATIVE.

Abell	Goss	Manierre	P. P. Murphy	Robertson
Bell	Hillhouse	Munroe	Ramsey	Warner
Ferry	Ketcham	J. M. Murphy	Richmond	Williams
Fiero	McGraw			

17

The Assembly bill entitled "An act to repeal a certain part of section 3 of chapter 218 of the Laws of 1850, entitled 'An act to provide for the completion of the canals of this State, and fully supply them with water, and for other purposes,' " was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Goss	McGraw	P. P. Murphy	Rotch
Connolly	Grant	Manierre	Prosser	Sessions
Ferry	Hammond	Munroe	Ramsey	Warner
Fiero	Hillhouse	J. M. Murphy	Richmond	Williams
				20

FOR THE NEGATIVE.

Abell	Bell	Lawrence		3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The bill entitled "An act to amend chapter 275 of the Laws of 1850, entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Hammond	Montgomery	Sessions
Blood	Gardiner	Hillhouse	Munroe	Spinola
Colvin	Goss	Kelly	J. M. Murphy	Truman
Connolly	Grant	Lawrence	Robertson	Warner
				20

FOR THE NEGATIVE.

Ferry	Manierre	Richmond	Rotch	Williams
Ketcham	Prosser			7

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

Mr. Bell, from the select committee of eight, reported the following entitled Assembly bills, as proper to be taken from the general orders and re-committed to the appropriate committees reporting them, to report complete, to wit :

"An act in relation to actions now pending and hereafter to be brought by receivers of insolvent mutual insurance companies, or insolvent corporations."

"An act to incorporate 'The Bath and Coney Island bridge company.'"

"An act to amend an act entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific, and missionary societies, passed April 12, 1848,' passed April 7, 1849,' passed April 7, 1857.'"

"An act authorizing the Buffalo General Hospital to take and hold real estate, and to sell or lease the same, and to make an appropriation thereto."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bills be re-committed to the standing committees reporting them, with power to report complete.

The Assembly bill entitled "An act to authorize and establish a jail or lock-up in the village of West Troy, in the county of Albany," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	Montgomery	Rotch
Bell	Fiero	Ketcham	Munroe	Sessions

Blood	Gardiner	Lawrence	Prosser	Truman
Colvin	Goss	McGraw	Richmond	Warner
Connolly	Hillhouse	Manierre	Robertson	Williams

25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate the Mount Vernon Savings bank," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Lawrence	Prosser	Rotch
Blood	Gardiner	McGraw	Ramsey	Sessions
Colvin	Kelly	Manierre	Richmond	Warner
Ferry	Ketcham	Montgomery	Robertson	

19

FOR THE NEGATIVE.

Abell	Goss	Hammond	Hillhouse
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4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river at Oswego Falls,' passed June 30, 1851," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Ketcham	Montgomery	Rotch
Bell	Goss	Lapham	Munroe	Sessions
Blood	Grant	McGraw	Richmond	Warner
Ferry	Hammond	Manierre	Robertson	Williams
Fiero	Kelly			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Sessions, from the committee on literature, to which was referred the Assembly bill entitled "An act to give power to the trustees of the Troy University to compromise and settle unpaid subscriptions and pending actions," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific, and missionary societies, passed April 12, 1848,' passed April 7, 1849,' passed April 7, 1857,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

By unanimous consent, Mr. Prosser moved that the Assembly bill entitled "An act to confirm grants of street railways in the city of Buffalo, and to confer upon the common council of that city the power to make ordinances respecting the same," be recommitted to the committee on incorporation of cities and villages, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act to consolidate the

cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Kelly	Manierre	Prosser	Truman
Fiero	Ketcham	Montgomery	Rotch	Warner
Gardiner	Lawrence	Munroe	Sessions	Williams
Grant	McGraw	P. P. Murphy	Spinola	

19

FOR THE NEGATIVE.

Bell	Robertson	
------	-----------	--

2

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of George Fredericks, of the city of New York," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	Munroe	Sessions
Bell	Gardiner	Lawrence	J. M. Murphy	Truman
Blood	Hammond	Manierre	Richmond	Warner
Colvin	Kelly	Montgomery	Rotch	Williams
Connolly				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The hour of six o'clock having arrived, the Senate took a recess until 7 o'clock.

SEVEN O'CLOCK, P. M.

The Senate again met.

The Assembly bill entitled "An act authorizing the commissioners of highways of the town of Philipstown, in Putnam county, to lay out and open a certain highway in said town, of the width of two rods," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Colvin	Hammond	Lawrence	Richmond	Spinola
Ferry	Hillhouse	Munroe	Robertson	Truman
Fiero	Ketcham	Prosser	Rotch	Warner
Gardiner	Lapham	Ramsey	Sessions	Williams
Goss				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the protection and improvement of the Tonawanda band of Seneca Indians, residing on the Tonawanda Reservation, in this State," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Bell	Fiero	Kelly	Prosser	Sessions
Blood	Gardiner	Ketcham	Ramsey	Truman
Colvin	Goss	Lapham	Richmond	Warner
Connolly	Hammond	Montgomery	Robertson	Williams
Ferry	Hillhouse	J. M. Murphy	Rotch	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to give power to the trustees of the Troy University to compromise and settle unpaid subscriptions and pending actions," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE

Blood	Hammond	Lawrence	Ramsey	Sessions
Connolly	Hillhouse	Montgomery	Richmond	Spinola
Ferry	Kelly	Munroe	Robertson	Warner
Gardiner	Lapham	Prosser	Rotch	Williams
Goss				

21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The third reading of the Assembly bill entitled "An act to regulate the use of piers number 32 and number 33, East river, and the bulkhead and slip between said piers, in the city of New York," having been announced,

Mr. Fiero moved to recommit said bill.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Kelly	J. M. Murphy	Ramsey
Bell	Grant	Lawrence	P. P. Murphy	Rotch
Blood	Hammond	Montgomery	Prosser	Warner
Connolly	Hillhouse	Munroe		

18

FOR THE NEGATIVE.

Ferry	Ketcham	Lapham	Sessions	Williams
Fiero				

6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. McGraw, from the committee on charitable and religious societies, to which was referred the Assembly bill entitled "An act authorizing the Buffalo General Hospital to take and hold real estate, and to sell or lease

the same," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Hammond	Lawrence	P. P. Murphy	Sessions
Bell	Hillhouse	McGraw	Prosser	Truman
Ferry	Kelly	Montgomery	Robertson	Warner
Fiero	Ketcham	Munroe	Rotch	Williams
Goss	Lapham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to confirm the grants of street railways in the city of Buffalo, and to confer upon the common council of that city the power to make ordinances respecting the same," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to alter the commissioners' map of the city of Brooklyn, and to provide for the widening and improvement of Third street in said city,' passed April 17, 1860."

"An act to amend an act entitled 'An act to widen and improve Bushwick avenue and other streets in the city of Brooklyn,' passed April 14, 1860."

"An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue 'county revenue bonds' therefor."

"An act providing for the amendment of the charter of the city of New York, and for the submission of the same to the people thereof."

Ordered, That the Clerk return said bills to the Assembly.

The third reading of the Assembly bill entitled "An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo," having been announced—

Mr. Hammond moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific, and missionary societies, passed April 12, 1848,' passed April 7, 1849,' passed April 7, 1857,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Hillhouse	P. P. Murphy	Sessions
Bell	Gardiner	Lawrence	Prosser	Truman
Blood	Goss	McGraw	Richmond	Warner
Connolly	Grant	Manierre	Robertson	Williams
Ferry	Hammond	Munroe	Rotch	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to provide the means to pay the interest on the debt created under section 3 of article 7 of the Constitution, for the enlargement and completion of the canals of this State, for the fiscal year commencing on the first day of October, 1861," having been announced—

Mr. Sessions moved to recommit said bill to the committee on canals, with instructions to strike out the enacting clause.

Mr. McGraw moved to amend by recommitting with instructions to amend by striking out "one-half mill" and inserting "one-quarter mill," and report forthwith.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Montgomery	P. P. Murphy	Truman	
Blood	Goss	Munroe	Prosser	Warner	
Colvin	Hillhouse	J. M. Murphy	Rotch	Williams	
Connolly	McGraw				17

FOR THE NEGATIVE.

Fiero	Hammond	Lawrence	Ramsey	Sessions	
Gardiner	Lapham	Manierre	Robertson	Spinola	
Grant					11

Mr. Prosser, from the committee on canals, reported said bill back amended as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	McGraw	Munroe	Prosser	Truman	
Ferry	Manierre	J. M. Murphy	Ramsey	Warner	
Goss	Montgomery	P. P. Murphy	Rotch	Williams	
Hillhouse					16

FOR THE NEGATIVE.

Abell	Fiero	Hammond	Richmond	Sessions	
Colvin	Gardiner	Lapham	Robertson	Spinola	
Connolly	Grant	Lawrence			13

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

On motion of Mr. Truman, and by unanimous consent—

Resolved, That a respectful message be sent to the Assembly, requesting that body to return to the Senate the Assembly bill entitled "An act for the relief of Stephen Van Alstine for canal damages."

The third reading of the Assembly bill entitled "An act to authorize the construction of a stone arch bridge over the State ditch, in the town of Ly-sander, at Jack's Reefs," having been announced—

Mr. Hammond moved to recommit said bill to the committee of the whole.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Sessions moved to recommit with instructions to strike out the en-acting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Hammond	Lawrence	Ramsey	Truman	
Fiero	Hillhouse	Manierre	Richmond	Williams	
Grant	Lapham	Montgomery	Sessions		14

FOR THE NEGATIVE.

Bell	Goss	McGraw	P. P. Murphy	Rotch	
Connolly	Kelly	Munroe	Prosser	Spinola	
Ferry	Ketcham	J. M. Murphy	Robertson	Warner	15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the negative, a majority of all the members elected to the Senate not voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Gardiner	Ketcham	J. M. Murphy	Spinola	
Connolly	Goss	McGraw	Robertson	Warner	
Ferry	Kelly	Munroe	Rotch		14

FOR THE NEGATIVE.

Abell	Hammond	Manierre	Prosser	Sessions	
Blood	Hillhouse	Montgomery	Ramsey	Truman	
Fiero	Lapham	P. P. Murphy	Richmond	Williams	
Grant	Lawrence				17

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have non-concurred in the passage of the same.

The Assembly returned the bill entitled "An act for the relief of Stephen Van Alstine for canal damages," as requested by the Senate.

The Assembly bill entitled "An act to confirm the grants of street railways in the city of Buffalo, and to confer upon the common council of that city the power to make ordinances respecting the same," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	Prosser	Sessions	
Bell	Fiero	Lawrence	Ramsey	Spinola	
Blood	Gardiner	Manierre	Richmond	Truman	
Colvin	Goss	Montgomery	Robertson	Warner	
Connolly	Hammond	J. M. Murphy	Rotch	Williams	25

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

A message was received from his Excellency the Governor, transmitting certain messages for the Senate in executive session.

Mr. Spinola moved that the Senate go into executive session with open doors.

Mr. Bell moved to amend by striking out "open" and inserting in lieu thereof "closed."

Mr. Spinola moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Gardiner	Hammond	Lawrence	Spinola	
Colvin	Grant	Lapham	Sessions	Truman	10

FOR THE NEGATIVE.

Abell	Hillhouse	Manierre	P. P. Murphy	Robertson
Bell	Kelly	Montgomery	Prosser	Rotch
Connolly	Ketcham	Munroe	Ramsey	Warner
Ferry	McGraw	J. M. Murphy	Richmond	Williams
Goss				21

Mr. Sessions raised the point of order that a motion to go into executive session was not in order, except under the order of business of motions and resolutions.

The President decided the point of order not well taken, it being a privileged question.

The President put the question whether the Senate would agree to said motion of Mr. Bell.

While the Clerk was proceeding to call the roll, Mr. Hammond rose to debate, when the President decided that debate was not in order, the calling of the roll having been commenced.

From this decision Mr. Hammond appealed.

Mr. Hammond was proceeding to debate the appeal, when Mr. Ramsey raised the point of order that he was not speaking to the question.

The President decided the point of order well taken.

Pending the question on the appeal from the decision of the Chair, the hour of 11 o'clock having arrived, the President declared the Senate adjourned.

MONDAY, APRIL 15, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Selkirk.

On motion of Mr. Lapham, the reading of the journal was dispensed with.

By unanimous consent, Mr. Lapham moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to supply Sing Sing prison with Croton water, and for the sale of certain lands of the State," and that it be recommitted to the committee on State prisons, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Rotch moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act for the relief of the St. Regis tribe of Indians," and that it be recommitted to the committee on Indian affairs, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Truman moved to reconsider the vote agreeing to the report of the select committee on Assembly claim bills, on the bill entitled "An act for the relief of Stephen Van Alstine for canal damages."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to recommit said bill to the select committee on Assembly claim bills.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act releasing the interest of the people of the State of New York,

in certain premises situate in the town of Prattsburgh, in the county of Steuben to the superintendents of the poor of said county."

"An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York."

"An act to authorize the trustees of the Asylum for Idiots to purchase additional land."

"An act for the relief of Horace Allen."

"An act for the relief of Lyman Gibson."

"An act to amend chapter 275 of the Laws of 1850, entitled 'An act relative to the public health in the city of New York,' passed April 10, 1850."

"An act authorizing the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal in the town of Royalton, Niagara county."

"An act for the relief of Francis M. McFarlin."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize the acts of Elijah Philips, a justice of the peace," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Hammond, from the committee on the judiciary, to which was referred the Assembly bill entitled "An act to legalize and confirm the acts and proceedings of the commissioners of highways and boards of town auditors of the towns of Schroepel and Granby in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the boards of town auditors of said towns to audit any sums remaining due to the contractor for said work," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Colvin, from the committee on State prisons, to which was referred the Assembly bill entitled "An act to supply Sing Sing prison with Croton water, and for the sale of certain lands of the State," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Williams, from the majority of the committee on insurance companies, to which was referred the Assembly bill entitled "An act relative to actions now pending and hereafter to be brought by receivers of insolvent mutual insurance companies, or of insolvent corporations," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Spinola moved to recommit said bill to the committee on insurance companies.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Ketcham

McGraw

Spinola

3

FOR THE NEGATIVE.

Abell

Gardiner

Lapham

Prosser

Rotch

Bell

Goss

Montgomery

Ramsey

Sessions

Colvin

Grant

Munroe

Richmond

Warner

Ferry

Hammond

F. P. Murphy

Robertson

Williams

Fiero

Hillhouse

22

The President then put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act for the relief of Stephen Van Alstine for canal damages," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Rotch, from the committee on Indian affairs, to which was referred the Assembly bill entitled "An act for the relief of the St. Regis tribe of Indians," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bills:

"An act to confirm the election of John B. Kimball as a justice of the peace in and for the town of Brownville, in the county of Jefferson."

"An act to promote and encourage the efficiency of officers in the militia, by limiting the tenure of office therein."

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the village of Mohawk,' which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Rotch and by unanimous consent, the rules were suspended, and said bill was ordered to a third reading.

"An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to erect a new county from parts of the county of Orange by the name of Highland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the erection and division of towns and counties.

"An act relating to special county judge of Cattaraugus county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the relief of John Johnston and James Johnston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act authorizing the appraisal and payment of damages to Hugh and Hugh T. M. McNair, in consequence of the overflow of a culvert of the Dansville branch of the Genesee valley canal, passed April 15, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Robertson gave notice that he would, at an early day, ask leave to introduce a resolution to suspend certain portions of rule 46 of the Senate, relative to executive sessions. Also, to suspend the rule requiring bills to lie over one day after they have been ordered to a third reading before they can have a third reading.

Mr. Richmond gave notice that he would, at an early day, ask leave to make a motion to suspend the 81st rule of the Senate, to allow him to make a motion to reconsider the vote had on the bill to aid the Troy University.

By unanimous consent, Mr. Spinola moved that the Assembly bill entitled "An act to incorporate 'The Bath and Coney Island bridge company,'" be recommitted to the committee on roads and bridges, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

By unanimous consent, Mr. Blood moved that the following entitled As-

sembly bills be recommitted to the committee on roads and bridges, to report complete, to wit :

"An act to amend an act in relation to the highway between Wilmurt and Morehouse, in the county of Hamilton."

"An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Assembly bill entitled "An act to authorize the Canal Commissioners to drain lands overflowed by backwater from Black Rock harbor," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lawrence	Prosser	Spinola	
Blood	Goss	McGraw	Rotch	Warner	
Connolly	Hammond	Montgomery	Sessions	Williams	
Fiero	Hillhouse	Munroe			18

FOR THE NEGATIVE.

Colvin	Ketcham	Robertson	Truman		4
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act for the relief of the owners of land taken by the corporation of the city of Brooklyn for the opening of Mount Prospect square," having been announced—

Mr. Gardiner moved to lay said bill on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Gardiner moved to recommit said bill with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Colvin	Gardiner	P. P. Murphy	Varner	Williams	
Connolly	Ketcham	Prosser			8

FOR THE NEGATIVE.

Bell	Grant	Kelly	Ramsey	Rotch	
Blood	Hammond	Lapham	Richmond	Sessions	
Fiero	Hillhouse	Munroe	Robertson	Spinola	15

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Hillhouse	McGraw	Richmond	Sessions	
Fiero	Kelly	Munroe	Robertson	Spinola	
Grant	Lapham	Ramsey	Rotch	Warner	
Hammond	Lawrence				17

FOR THE NEGATIVE.

Abell	Ferry	Goss	Montgomery	Prosser	
Colvin	Gardiner	Ketcham	P. P. Murphy	Williams	
Connolly					11

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Warner moved that all bills ordered to a third reading to-day, have their third reading to-day.

Mr. Spinola raised the point of order that the motion could not be made, except under the order of motions and resolutions.

The President decided the point of order not well taken, the motion being a privileged motion, and relating to the present order of business.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Munroe	Rotch	
Bell	Goss	Lapham	P. P. Murphy	Sessions	
Blood	Hammond	McGraw	Ramsey	Warner	
Colvin	Hillhouse	Montgomery	Richmond	Williams	
Connolly	Kelly				22

FOR THE NEGATIVE.

Gardiner	J. M. Murphy	Spinola	3
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The President then put the question whether the Senate would agree to said motion of Mr. Warner, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Munroe	Rotch	
Bell	Fiero	Ketcham	P. P. Murphy	Sessions	
Blood	Goss	Lapham	Ramsey	Warner	
Colvin	Hammond	McGraw	Richmond	Williams	
Connolly					21

FOR THE NEGATIVE.

J. M. Murphy	Spinola	2
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Mr. Goss, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to incorporate 'The Bath and Coney Island bridge company,'" with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. Goss, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act in relation to the highway between Wilmurt and Morehouse, in the county of Hamilton," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 13, 1784."

"An act to incorporate the New York Navigation and Colonization company."

"An act to incorporate the Neversink River plankroad company and to authorize the issuing and holding of certificates of stock therein."

"An act for the relief of Horace Pierce, W. W. Baker, B. A. Son, William Van Horn and Roswell Kelsey."

"An act for the relief of James Burke and Lawrence Claffy."

"An act for the relief of Benjamin F. Gaskell, Olive Gaskell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert

T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased."

"An act for the relief of Josiah Blackwell."

"An act to incorporate 'The Rochester Historical Society.'"

"An act to authorize the appraisal and payment of damages to Skilman D. Dickerson and to Noah H. Osborne."

Ordered, That the Clerk deliver said bills to the Governor.

The third reading of the Assembly bill entitled "An act to legalize the acts of Elijah Philips as justice of the peace," having been announced—

Mr. Spinola moved to recommit said bill, with instructions to strike out the enacting clause.

Mr. Spinola was proceeding to debate said motion when Mr. Ramsey raised the point of order, that having previously been declared out of order the Senator can not proceed without consent of the Senate.

The President decided the point of order well taken.

From this decision Mr. Spinola appealed.

The President put the question "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	Montgomery	Ramsey	Sessions	
Fiero	Ketcham	Munroe	Richmond	Warner	
Goss	Lapham	P. P. Murphy	Robertson	Williams	
Hammond	McGraw	Prosser	Rotch		19

FOR THE NEGATIVE.

Colvin	Gardiner	Grant	Kelly	Spinola	5
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The motion to recommit was withdrawn.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Grant	Lapham	P. P. Murphy	Sessions	
Colvin	Hammond	McGraw	Richmond	Spinola	
Ferry	Hillhouse	Montgomery	Robertson	Warner	
Fiero	Kelly	Munroe	Rotch	Williams	
Goss					21

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to supply Sing Sing prison with Croton water, and for the sale of certain lands of the State," having been announced—

Mr. Prosser moved to recommit said bill to the committee on State prisons.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Kelly	Manierre	Rotch	
Bell	Fiero	Ketcham	Montgomery	Sessions	
Blood	Goss	Lapham	Munroe	Warner	
Colvin	Hammond	McGraw	Ramsey	Williams	
Connolly	Hillhouse				23

FOR THE NEGATIVE.

Gardiner P. P. Murphy Prosser Truman 4

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to legalize and confirm the acts and proceedings of the commissioners of highways and boards of town auditors of the towns of Schroepel and Granby, in the county of Oswego, in the years 1859 and 1860, in the rebuilding of the bridge across the Oswego river at Hinmanville, and in auditing the account of the contractor for said work, and authorizing the boards of town auditors of said towns to audit any sums remaining due to the contractor for said work," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hammond	McGraw	Prosser	Sessions
Connolly	Hillhouse	Manierre	Ramsey	Spinola
Ferry	Kelly	Montgomery	Richmond	Warner
Fiero	Ketcham	Munroe	Rotch	Williams
Goss	Lapham			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act in relation to actions now pending and hereafter to be brought by receivers of insolvent mutual insurance companies, or of insolvent corporations," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Munroe	Sessions
Bell	Fiero	Kelly	P. P. Murphy	Truman
Blood	Goss	Lapham	Prosser	Warner
Colvin	Grant	Lawrence	Ramsey	Williams
Connolly	Hammond	Montgomery	Richmond	

24

FOR THE NEGATIVE.

Gardiner McGraw Spinola 3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of the St. Regis tribe of Indians," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Hillhouse	McGraw	Prosser	Rotch
Connolly	Kelly	Montgomery	Ramsey	Truman
Ferry	Ketcham	Munroe	Richmond	Warner
Fiero	Lapham	P. P. Murphy	Robertson	Williams
Goss				

21

FOR THE NEGATIVE.

Colvin 1

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act for the relief of Stephen Van Alstine for canal damages," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Lapham	Ramsey	Truman	
Connolly	Hammond	Lawrence	Rotch	Warner	
Ferry	Hillhouse	McGraw	Spinola	Williams	
Fiero	Kelly	Munroe			18

FOR THE NEGATIVE.

Abell	Montgomery	P. P. Murphy	Prosser	Sessions	
Ketcham					6

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act entitled 'An act to incorporate the village of Mohawk,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Fiero	Lapham	Prosser	Rotch	
Blood	Goss	Lawrence	Ramsey	Sessions	
Colvin	Hammond	Montgomery	Richmond	Warner	
Connolly	Hillhouse	Munroe	Robertson	Williams	
Ferry	Ketcham				22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to incorporate 'The Bath and Coney Island bridge company,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows:

FOR THE AFFIRMATIVE.

Bell	Goss	Montgomery	Prosser	Rotch	
Blood	Hammond	Munroe	Ramsey	Sessions	
Connolly	Hillhouse	P. P. Murphy	Robertson	Spinola	
Fiero	Lapham				17

FOR THE NEGATIVE.

Abell	Colvin	Ferry	Grant	Williams	8
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly bill entitled "An act to amend an act in relation to the highway between Willmurt and Morehouse, in the county of Hamilton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Bell	Ferry	Lapham	Prosser	Sessions
Blood	Gardiner	Lawrence	Ramsey	Spinola
Colvin	Goss	McGraw	Robertson	Warner
Connolly	Hammond	Montgomery	Rotch	Williams

20

FOR THE NEGATIVE.

Abell	Grant	Ketcham	Munroe	Richmond
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5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the bill entitled "An act to revive and extend 'An act respecting the appropriation of the waters of the Black river for the use of the Black river canal and Erie canal feeder,' passed April 8, 1857," with a message that they had concurred in the passage of the same, with the following amendments:

Section 1, line 8, strike out the names "Rawson" and "Wilson" and insert in lieu thereof "Edmund Rawson, William Wilson, William V. Morgan."

Mr. Bell moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Ketcham	P. P. Murphy	Robertson
Bell	Gardiner	Lawrence	Prosser	Sessions
Blood	Goss	Montgomery	Ramsey	Warner
Colvin	Hammond	Munroe	Richmond	Williams
Connolly	Kelly			

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

The Assembly returned the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof," with a message that they had concurred in the passage of the same, with the following amendment:

Section 1, line 2, strike out the words "said act" and insert in lieu thereof "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof."

Mr. Truman moved that the Senate concur in said amendment.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	Prosser	Spinola
Bell	Gardiner	Lawrence	Richmond	Truman
Blood	Goss	Montgomery	Robertson	Warner
Colvin	Hammond	Munroe	Rotch	Williams
Connolly	Ketcham	P. P. Murphy	Sessions	

24

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendment.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburch, to the Carthage road, near the head of Long lake, in the county of Hamilton," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

The Assembly returned the bill entitled "An act to prohibit cattle from running in the highways in the town of Brighton, in the county of Monroe,

and in the several towns in the counties of Queens, Suffolk and Livingston," with a message that they had concurred in the passage of the same, with the following amendments:

Substitute the following for the engrossed bill:

- "An act to prohibit cattle from running in the highways in the town of Brighton, in the county of Monroe, and in the several towns in the counties of Queens and Livingston, except the town of Hempstead, in Queens county, and for protection against animals trespassing."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. It shall not be lawful for any cattle, horses, sheep or swine, to run at large in any highway in the town of Brighton, in the county of Monroe, and in the several towns in the counties of Queens and Livingston, except in the town of Hempstead, in the county of Queens.

§ 2. It shall be lawful for any person to seize and take into his custody and possession any animal which may be in any highway and opposite to land owned or occupied by him in the said towns contrary to the provisions of the foregoing section; and it shall be lawful for any person to take into his custody and possession any animal which may be trespassing upon premises owned or occupied by him in said towns.

§ 3. Whenever any such person shall seize and take into his custody or possession, any animal, under the authority of the next preceding section, it shall be the duty of such person to give immediate notice thereof to a justice of the peace or a commissioner of highways of said town, and such justice or commissioner shall thereupon give notice by affixing the same in six public and conspicuous places in said town, one of which shall be the nearest district school house, that such animal will be sold at public auction at some convenient place in said town, not less than fifteen nor more than twenty days from the time of the affixing such notice, to be specified in said notice; at the time and place named in such notice, the said justice or commissioner shall proceed to sell the said animal for cash, and out of the proceeds thereof shall, in the first place, retain the following fees and charges for his services in giving said notice and making said sale, viz: For every horse sold, one dollar; for every cow or calf, or other cattle, fifty cents; and for every swine or sheep, twenty-five cents, together with a reasonable compensation, to be estimated and determined by said justice or commissioner, for the care and keeping of said animal, from the seizure thereof to the time of the sale. If there shall be any surplus money arising from said sale, the said justice or commissioner shall retain the same in his hands and pay the same to the owner or owners of said property, after a reasonable demand and satisfactory proof of such ownership.

§ 4. Any owner of any animal which shall be seized under and pursuant to the foregoing provisions, may, at any time before the sale thereof, require the same to be given up to him, upon the payment of the several sums hereinbefore required to be paid to the said commissioner and to the person by whom the seizure aforesaid shall have been made. And if the owner shall make such requirement at least three days before the time appointed for the sale, he shall only pay one-half of the several sums above mentioned, together with the whole amount of compensation awarded by the said justice or commissioner.

Mr. Goss moved that the Senate concur.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell
Bell

Fiero
Goss

McGraw
Montgomery

Prosser
Ramsay

Spinola
Truman

Blood
Connolly
Ferry

Hammond
Kelly
Ketcham

Munroe
P. P. Murphy

Richmond
Sessions

Warner
Williams

22

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in their amendments.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to amend an act entitled 'An act to lay out a public park and a parade ground for the city of Brooklyn, and to alter the commissioners' map of said city,' passed April 17, 1860."

"An act to incorporate the Seneca Falls Savings bank at Seneca Falls, New York."

"An act to give power to the trustees of the Troy University to compromise and settle unpaid subscriptions and pending actions."

"An act to amend an act entitled 'An act to provide for the widening of Fourth avenue in the city of Brooklyn, and to establish a public drive and promenade on said avenue,' passed April 12, 1860."

"An act to confirm the grants of street railways in the city of Buffalo, and to confer upon the common council of that city the power to make ordinances respecting the same."

Ordered, That the Clerk return said bills to the Assembly.

The Assembly returned the following entitled bills:

"An act to establish a nautical school in the harbor of the city of New-York."

"An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents."

"An act supplementary to an act entitled 'An act to consolidate the cities of Brooklyn and Williamsburgh and the town of Bushwick into one municipal government, and to incorporate the same,' passed April 17, 1854."

"An act relative to Saint Stephen's College."

"An act relative to contracts by the mayor, aldermen and commonalty of the city of New York."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

Mr. Ramsey gave notice that he would move to suspend the rules of the Senate, so far as to permit a reconsideration of the last vote taken on the bill entitled "An act to facilitate the construction of the Albany and Susquehanna railroad."

Mr. Hammond offered the following resolution:

Resolved, (if the Assembly concur,) That the Legislature will adjourn this evening at 10 o'clock.

Ordered, That said resolution be laid on the table.

Mr. Sessions moved that the Senate do now go into committee of the whole on the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell
Bell

Hammond
Hillhouse

Lawrence
McGraw

P. P. Murphy
Brosser

Sessions
Warner

Fiero	Ketcham	Manierre	Richmond	Williams	
Goss	Lapham	Munroe	Robertson		19

FOR THE NEGATIVE.

Colvin	Gardiner	Kelly	Ramsey	Spinola	
Connolly	Grant	Montgomery	Rotch	Truman	
Ferry					11

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and announced that the hour of fifteen minutes to two having arrived, the Senate would take a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK.

The Senate again met, resolved itself into a committee of the whole, and resumed the consideration of the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof," which was pending at the hour of taking a recess.

After some time spent therein, the President resumed the chair, and Mr. Prosser, from said committee, reported progress on said bill, and asked leave to sit again.

Mr. Lapham moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

The President then put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Hillhouse	McGraw	P. P. Murphy	Sessions	
Blood	Ketcham	Manierre	Richmond	Warner	
Fiero	Lapham	Montgomery	Robertson	Williams	
Goss	Lawrence	Munroe	Rotch		19

FOR THE NEGATIVE.

Colvin	Gardiner	Kelly	Prosser	Spinola	
Connolly	Grant	J. M. Murphy	Ramsey	Truman	
Ferry	Hammond				12

Mr. Sessions moved that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, two-thirds of all the Senators present not voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Blood	Hillhouse	Lawrence	P. P. Murphy	Sessions	
Fiero	Ketcham	Manierre	Richmond	Truman	
Goss	Lapham	Montgomery	Robertson		14

FOR THE NEGATIVE.

Abell	Gardiner	McGraw	Prosser	Spinola	
Colvin	Grant	Munroe	Ramsey	Warner	
Connolly	Hammond	J. M. Murphy	Rotch	Williams	
Ferry	Kelly				17

Ordered, That said bill be read a third time.

Mr. Ferry, from the select committee of eight, reported the following entitled Assembly bill, as proper to be referred to the committee on roads and bridges, to report complete, to wit :

"An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813."

The President put the question whether the Senate would agree to the report of the committee, and it was decided in the affirmative.

Ordered, That said bill be recommitted to the committee on roads and bridges, to report complete.

Mr. Truman offered the following resolution :

Resolved, (if the Assembly concur,) That this Legislature will adjourn *sine die*, on Tuesday the 16th instant, at 12 o'clock M.

Ordered, That said resolution be laid on the table.

Mr. Warner offered the following resolution :

Resolved, That when the Senate adjourns at six o'clock, it adjourn to meet again at half-past seven this evening.

Mr. Truman moved to amend by striking out "half-past" and adding at the end the words "and adjourn at ten."

The President put the question whether the Senate would agree to said motion of Mr. Truman, and it was decided in the affirmative.

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Mr. Lapham, from the committee on roads and bridges, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, requesting the concurrence of the Senate to the following entitled bill :

"An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defence," which was read the first time, and by unanimous consent was also read the second time.

Mr. Hammond moved that said bill be made the special order for this evening, at seven o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman moved to take from the table the motion to reconsider the vote on the adoption of the following resolution :

Resolved, That a committee of five be appointed to inquire into irregularities of management, or other misconduct by officers of the corporation of the city of New York, with the view to such legislation as may be necessary, and that such committee have power to send for persons and papers, and that the committee have leave to report at the next session of the Legislature. The expenses of said committee shall be paid by the corporation of the city of New York.

Pending the question, the hour of six o'clock having arrived, the President announced that the Senate would take a recess until seven o'clock.

SEVEN O'CLOCK, P. M.

The Senate again met.

By unanimous consent, Mr. Truman, from the committee on claims, to which was referred the Assembly bill entitled "An act to amend an act authorizing the appraisal and payment of damages to Hugh and Hugh T. McNair, in consequence of the overflow of a culvert of the Dansville branch of the Genesee Valley canal," passed April 15, 1859," reported in favor of the passage of the same, and said bill was committed to the committee of the whole.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bill :

"An act to further amend an act entitled 'An act to provide for the in-

corporation of villages, passed December 7, 1847,' as far as the same relates to the village of Tonawanda, Erie county."

Ordered, That the Clerk return said bill to the Assembly.

The Assembly returned the following entitled bills:

"An act to revive and extend 'An act respecting the appropriation of the waters of the Black river for the use of the Black river canal and Erie canal feeder,' passed April 3, 1857."

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Binghamton, passed April 12, 1853,' and the several acts amendatory thereof."

"An act to prohibit cattle from running in the highways in the town of Brighton, in the county of Monroe, and in the several towns in the counties of Queens, Suffolk and Livingston."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act in aid of the New York Juvenile Asylum."

"An act for the relief of Reuben H. Bangs and Seymour Pratt."

"An act authorizing and requiring inspectors of elections and other officers to take certain affidavits required by the registry law."

"An act to amend the act passed May 8, 1846, entitled 'An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York.'"

"An act to regulate the fees and compensation of the special judge and special surrogate of the county of Chautauqua."

"An act to authorize the water commissioners of the village of Watertown to borrow money."

"An act for the relief of Mary Worrall."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Truman offered the following resolution:

Resolved. (if the Assembly concur,) That this Legislature will adjourn *sine die*, on Wednesday next at 12 o'clock M.

Ordered, That said resolution be laid on the table.

The Senate then resolved itself into a committee of the whole, and proceeded to the consideration of the special order, being the Assembly bill entitled as follows:

"An act to authorize the embodying and equipment of a volunteer militia, and to provide for the public defence."

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. Hammond moved that the Senate again go into committee of the whole on said bill, and that the hour of adjournment be extended until said bill is disposed of.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

The Senate again resolved itself into a committee of the whole, and proceeded to the consideration of said bill.

After some time spent therein, the President resumed the chair, and Mr. Lawrence, from said committee, reported in favor of the passage of said bill, with amendments, which report was agreed to, and said bill ordered to a third reading.

Mr. Lapham moved that said bill now have its third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Said bill was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Lapham	P. P. Murphy	Sessions
Bell	Goss	McGraw	Prosser	Spinola
Blood	Hammond	Manierre	Ramsey	Truman
Colvin	Hillhouse	Montgomery	Richmond	Warner
Connolly	Kelly	Munroe	Robertson	Williams
Ferry	Ketcham	J. M. Murphy	Rotch	29

FOR THE NEGATIVE.

Gardiner	Lawrence	2
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

On motion of Mr. Williams, the Senate adjourned.

TUESDAY, APRIL 16, 1861.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Seeley.

On motion of Mr. Fiero, the reading of the journal was dispensed with.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act for the sale of the Quarantine land on Staten Island."

Mr. J. M. Murphy moved that the committee on the incorporation of cities and villages, be discharged from the further consideration of the Assembly bill entitled "An act to amend an act entitled 'An act to provide against unsafe buildings in the city of New York,' " and that the same be referred to the New York delegation, to report complete.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. Truman, from the select committee on Assembly claim bills, to which was referred the Assembly bill entitled "An act to amend an act authorizing the appraisal and payment of damages to Hugh and Hugh T. McNair, in consequence of the overflow of a culvert of the Dansville branch of the Genesee Valley canal," passed April 15, 1859," with power to report complete, reported the same complete, which report was agreed to, and said bill ordered to a third reading.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend the charter of the village of Macedon," reported in favor of the passage of the same, without amendment.

On motion of Mr. Williams and by unanimous consent, the rules were suspended and said bill was ordered to a third reading.

Mr. P. P. Murphy, from a majority of the committee on the incorporation of cities and villages, and the New York delegation, to which was referred the Assembly bill entitled "An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate

the expenditure thereof; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes," with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

Messrs. P. P. Murphy and Manierre, dissenting from amendment paying Daniel Devlin counsel fees in establishing his claim to the office of chamberlain.

By unanimous consent, Mr. Truman asked and obtained leave to introduce a bill entitled "An act to provide additional compensation for the journal clerk of the Senate," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Truman and by unanimous consent, the rules were suspended, and said bill was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	J. M. Murphy	Rotch
Bell	Goss	Lawrence	P. P. Murphy	Sessions
Blood	Grant	McGraw	Prosser	Spinola
Colvin	Hammond	Manierre	Ramsey	Truman
Connolly	Hillhouse	Montgomery	Richmond	Warner
Ferry	Kelly	Munroe	Robertson	Williams
Fiero	Ketcham			

32

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

By unanimous consent, Mr. Hammond offered the following resolution:

Resolved, That the Senate go into executive session to-day, immediately after the third reading of bills.

Mr. Truman moved to amend by striking out "the third reading of bills," and inserting "motions and resolutions."

Mr. Spinola moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Gardiner	Sessions	Spinola	Truman
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4

FOR THE NEGATIVE.

Abell	Ferry	Ketcham	Munroe	Richmond
Bell	Goss	Lapham	J. M. Murphy	Robertson
Colvin	Hammond	McGraw	P. P. Murphy	Warner
Connolly	Kelly	Montgomery	Ramsey	Williams

30

Mr. Robertson moved further to amend, that the Senate now go into executive session.

Mr. Sessions moved to postpone the whole subject indefinitely.

The President put the question whether the Senate would agree to said motion to postpone, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Blood	Grant	Sessions	Spinola	Truman
Fiero	Lawrence			

7

FOR THE NEGATIVE.

Abell	Gardiner	Ketcham	Munroe	Robertson
Bell	Goss	Lapham	J. M. Murphy	Rotch
Colvin	Hammond	McGraw	P. P. Murphy	Warner
Connolly	Hillhouse	Manierre	Prosser	Williams
Ferry	Kelly	Montgomery	Richmond	

24

Mr. Spinola moved to postpone until the 25th day of December next.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Lawrence	Sessions	Spinola			3
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FOR THE NEGATIVE.

Abell	Fiero	Kelly	Montgomery	Richmond	
Bell	Gardiner	Ketcham	Munroe	Robertson	
Colvin	Goss	Lapham	J. M. Murphy	Rotch	
Connolly	Hammond	McGraw	P. P. Murphy	Warner	
Ferry	Hillhouse	Manierre	Prosser	Williams	26

Mr. Sessions moved to postpone indefinitely.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Lawrence	Sessions	Spinola	Truman		4
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FOR THE NEGATIVE.

Bell	Goss	Ketcham	P. P. Murphy	Robertson	
Colvin	Hillhouse	Montgomery	Prosser	Warner	
Connolly	Kelly	J. M. Murphy	Richmond	Williams	
Ferry					16

Mr. Lawrence moved that the Senate now adjourn.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Gardiner	Grant	Lawrence	Sessions		4
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FOR THE NEGATIVE.

Abell	Fiero	Lapham	J. M. Murphy	Spinola	
Bell	Goss	McGraw	Prosser	Truman	
Colvin	Hillhouse	Manierre	Richmond	Warner	
Connolly	Kelly	Montgomery	Robertson	Williams	
Ferry	Ketcham	Munroe	Rotch		24

Mr. Lawrence moved to lay the amendment of Mr. Robertson on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fiero	Lawrence	Sessions	Spinola	Truman	6
Grant					

FOR THE NEGATIVE.

Abell	Ferry	Ketcham	J. M. Murphy	Robertson	
Bell	Gardiner	Lapham	P. P. Murphy	Rotch	
Blood	Goss	McGraw	Prosser	Warner	
Colvin	Hillhouse	Montgomery	Ramsey	Williams	
Connolly	Kelly	Munroe	Richmond		24

Mr. Fiero moved to postpone the whole subject until 7 o'clock this evening.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Fiero	Grant	Sessions	Spinola	Truman	5
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FOR THE NEGATIVE.

Abell	Gardiner	McGraw	J. M. Murphy	Robertson	
Bell	Goss	Manierre	Prosser	Rotch	
Colvin	Hillhouse	Montgomery	Ramsey	Warner	
Connolly	Ketcham	Munroe	Richmond	Williams	
Ferry	Lawrence				22

The President then put the question whether the Senate would agree to said motion of Mr. Robertson, that the Senate now go into executive session, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Manierre	Prosser	Rotch
Bell	Goss	Montgomery	Ramsey	Spinola
Colvin	Hillhouse	Munroe	Richmond	Warner
Connolly	Ketcham	J. M. Murphy	Robertson	Williams
Ferry	McGraw	P. P. Murphy		

23

FOR THE NEGATIVE.

Lawrence	Sessions	Truman		
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3

Mr. Lawrence moved to reconsider the vote just taken, and to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Grant	Lawrence	Sessions	Spinola	Truman
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5

FOR THE NEGATIVE.

Abell	Fiero	Ketcham	Munroe	Robertson
Bell	Gardiner	McGraw	P. P. Murphy	Rotch
Colvin	Goss	Manierre	Ramsey	Warner
Connolly	Hillhouse	Montgomery	Richmond	Williams
Ferry	Kelly			

22

The President then put the question whether the Senate would agree to said motion to reconsider, and it was decided in the negative, as follows :

FOR THE AFFIRMATIVE.

Grant	Sessions	Spinola	Truman	
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4

FOR THE NEGATIVE.

Abell	Ferry	Kelly	Montgomery	Robertson
Bell	Fiero	Ketcham	Munroe	Rotch
Blood	Gardiner	Lawrence	Ramsey	Warner
Colvin	Goss	McGraw	Richmond	Williams
Connolly	Hillhouse	Manierre		

23

The Senate then went into executive session, and after some time spent therein, the doors were opened and legislative business resumed.

Mr. Manierre, from the committee on the incorporation of cities and villages, to which was referred the Assembly bill entitled "An act to amend an act entitled 'An act to provide against unsafe buildings in the city of New York,' " with power to report complete, reported the same complete, with amendments, which report was agreed to, and said bill ordered to a third reading.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution :

Resolved, (if the Senate concur,) That this Legislature will adjourn *sine die*, on Tuesday, April 16, at 2 P. M.

Ordered, That said resolution be laid on the table.

The Assembly bill entitled "An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, as follows :

FOR THE AFFIRMATIVE.

Bell	Gardiner	Kelly	Montgomery	Sessions
Connolly	Goss	Lapham	P. P. Murphy	Truman
Ferry	Grant	McGraw	Prosser	Warner
Fiero	Hillhouse	Manierre	Robertson	Williams

20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The Assembly returned the following entitled bill:

"An act to amend the Revised Statutes in respect to highways."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Assembly was received, informing that they had concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to allow Peter F. Bellinger, an individual banker, conducting banking business under the banking laws of this State, to change the name assumed by him in such banking business by substituting the word 'Bellinger' for 'Iron' in the title to the notes issued to him by the Superintendent of the Bank Department."

"An act to authorize the Superintendent of the Onondaga Salt Springs to exchange certain lands in Syracuse."

Ordered, That the Clerk deliver said bills to the Governor.

The third reading of the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof," having been announced—

Mr. Connolly moved to recommit said bill, with instructions to strike out the enacting clause.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative, as follows:

FOR THE AFFIRMATIVE.

Colvin Connolly	Ferry Gardiner	Grant Kelly	Lawrence J. M. Murphy	Ramsey Truman	10
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FOR THE NEGATIVE.

Abell	Hillhouse	McGraw	P. P. Murphy	Sessions	
Blood	Ketcham	Manierre	Prosser	Warner	
Fiero	Lapham	Montgomery	Richmond	Williams	
Goss					16

Mr. Colvin moved to recommit, with instructions to amend by striking out the 5th section, as follows:

"§ 5. The moneys required for the ordinary expenses and support of the Metropolitan board of health, and for the administration of the laws relating to the public health shall be provided by the constituted authorities of the counties comprising the Metropolitan health district, upon estimates previously prepared and certified by said board of health, and submitted to said authorities in the manner provided by law in regard to city and county expenditures in the several counties comprising said district, but all expenses which shall be incurred for the exclusive benefit of any one or two of said counties, and shall be so certified by a majority of said board, under oath or affirmation, shall be paid by such county or counties respectively, in such parts or portions as said majority may also certify. The boards of supervisors of the counties of New York and Richmond, and the joint board of supervisors and aldermen of the county of Kings and the city of Brooklyn, shall severally provide the moneys above required, in the manner now authorized by law, for other branches and objects of city and county expenditure. In case the funds so provided shall be inadequate to meet extraordinary expenditure rendered necessary by the prevalence of any epidemic or infectious disease, or by any other emergency which may threaten the public health, such deficiencies shall be supplied by said board or joint boards respectively, and they are hereby authorized and required to raise by loan, in anticipation of the annual tax, such sum or sums as shall be certified to be necessary by the Metropolitan board of health to meet such deficiencies. Any expenses incurred by the said board in their capacity of commissioners of health, as provided by section three, shall become a charge

upon the counties composing said district, and shall be apportioned to them in the ratio of their representation in the Assembly of this State."

Mr. Truman moved to recommit said bill to the committee of the whole.

Mr. Truman moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion to lay on the table, and it was decided in the affirmative.

Mr. Truman moved to extend the hour of adjournment until 3 o'clock.

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. J. M. Murphy moved to take from the table the motion to recommit to the committee of the whole, the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Pending the question on the motion to recommit, the hour of fifteen minutes to two having arrived, the President announced that the Senate would took a recess until half-past three o'clock.

HALF-PAST THREE O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Colvin, and by unanimous consent, (the President *pro tem.* in the chair—

Resolved, That the thanks of the Senate are due, and are hereby tendered to the Hon. Robert Campbell, for the impartial, courteous and able manner in which he has discharged the duties of presiding officer of the Senate.

The Senate resumed the consideration of the question pending at the hour of taking a recess, being the motion of Mr. Truman to recommit to the committee of the whole the Assembly bill entitled "An act concerning the public health of the counties of New York, Kings and Richmond, and the waters thereof."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE

Abell	Ferry	Hillhouse	Montgomery	Robertson	
Blood	Fiero	Kelly	J. M. Murphy	Spinola	
Colvin	Gardiner	Ketcham	Prosser	Truman	
Connolly	Grant	Lawrence	Ramsey	Williams	20

FOR THE NEGATIVE.

Goss	McGraw	P. P. Murphy	Sessions	Warner	
Lapham	Manierre	Richmond			8

On motion of Mr. Truman, and by unanimous consent—

Resolved, That under the direction of the Clerk of the Senate, Charles G. Fairman be directed to collect and properly file away under the Law of 1859, chapter 321, all the papers relating to executive session, and communications from the Governor relating thereto, at an expense not to exceed three hundred dollars.

On motion of Mr. Spinola—

Resolved, That the Secretary of State be requested to pay the expenses of sending the packages of Senators to their respective places of residence, out of the money for transporting documents, &c., to members of the Legislature.

Mr. Spinola, from the select committee appointed to inquire into the practice of arrest, detention and discharge of persons by the Metropolitan police force, reported in writing, which report was laid on the table and ordered printed.

(See Doc. No. 71.)

The Assembly bill entitled "An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, when the vote was as follows :

FOR THE AFFIRMATIVE.			
J. M. Murphy	Ramsey	Sessions	Spinola
			4

FOR THE NEGATIVE.			
Blood	Hillhouse	Montgomery	Truman
Fiero	Manierre	Prosser	Warner
			8

Not having received the constitutional vote, the bill was laid aside.

The third reading of the Assembly bill entitled "An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate the expenditure thereof; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes," having been announced—

Mr. Connolly moved to recommit said bill to the committee, with instructions to amend by inserting the following item stricken out by the committee, to wit:

"Hebrew Benevolent Society, for the erection of an orphan asylum, to be paid by the Comptroller, whenever satisfactory proof shall be furnished that a corresponding amount has been raised by private contribution for a like purpose, thirty thousand dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows :

FOR THE AFFIRMATIVE.				
Abell	Fiero	Lapham	Ramsey	Spinola
Blood	Gardiner	McGraw	Robertson	Truman
Colvin	Grant	J. M. Murphy	Rotch	Warner
Connolly	Kelly			
				17

FOR THE NEGATIVE.				
Ferry	Ketcham	Manierre	P. P. Murphy	Sessions
Hillhouse	Lawrence	Montgomery	Prosser	
				9

Mr. Manierre reported back said bill, with amendment, as directed by the Senate.

Mr. Connolly moved to recommit to the committee, with instructions to amend by inserting the following :

"Printing and binding charters in 1855, for Charles W. Baker, with Kent's notes, four thousand two hundred and sixty dollars, to be audited by the Comptroller, and if in his opinion the claim is a just one, he is hereby authorized to liquidate the same."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. P. P. Murphy reported back said bill, with amendment, as directed by the Senate.

Mr. J. M. Murphy moved to recommit to the committee, with instructions to amend by re-inserting lines 70, 71 and 72 of printed bill, as follows :

"Printing, stationery, &c., for departments, courts, &c., in 1859, for Edmund Jones & Company, seventy-six thousand dollars, who are hereby authorized to collect and receive the same."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. P. P. Murphy reported back said bill, with amendment, as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, when the vote was as follows:

FOR THE AFFIRMATIVE.

Goss	Hillhouse	Montgomery	Ramsey	4
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FOR THE NEGATIVE.

Abell	Ferry	Gardiner	McGraw	Richmond	8
Blood	Fiero	Kelly			

Not having received the constitutional vote, the bill was laid aside.

The Assembly bill entitled "An act to amend an act entitled 'An act to provide against unsafe buildings in the city of New York,'" was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Fiero	Ketcham	Munroe	Rotch	
Blood	Goss	Lapham	J. M. Murphy	Truman	
Colvin	Grant	McGraw	Prosser	Warner	
Connolly	Kelly	Manierre	Richmond	Williams	20

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend the charter of the village of Macedon," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows:

FOR THE AFFIRMATIVE.

Abell	Ferry	Hillhouse	Montgomery	Richmond	
Blood	Fiero	Kelly	J. M. Murphy	Warner	
Colvin	Goss	Lapham	Prosser	Williams	
Connolly	Grant	McGraw			18

FOR THE NEGATIVE.

Lawrence	Munroe	Rotch	3
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Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburch, to the Carthage road, near the head of Long lake, in the county of Hamilton," having been announced—

On motion of Mr. Lapham and by unanimous consent, said bill was amended by striking out "Wm. K. Mead, of the city of New York," and inserting "Albert N. Cheney and Augustus Sherman."

Also, strike out "John B. Eldridge, of the town of Indian Lake."

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority

of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Blood	Goss	Lawrence	Prosser	Sessions
Colvin	Grant	McGraw	Richmond	Truman
Connolly	Kelly	Montgomery	Robertson	Warner
Fiero	Ketcham	Munroe	Rotch	Williams
Gardiner	Lapham	J. M. Murphy		

23

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

The Assembly bill entitled "An act to amend an act authorizing the appraisal and payment of damages to Hugh and Hugh T. McNair, in consequence of the overflow of a culvert of the Dansville branch of the Genesee Valley canal, passed April 15, 1859," was read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Ferry	Lapham	J. M. Murphy	Rotch
Blood	Fiero	Lawrence	Prosser	Truman
Colvin	Goss	McGraw	Ramsey	Williams
Connolly	Kelly	Munroe	Robertson	

19

FOR THE NEGATIVE.

Grant	Ketcham	Montgomery
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3

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

The third reading of the Assembly bill entitled "An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate the expenditure thereof; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes," having been announced—

Mr. J. M. Murphy moved to recommit said bill to the committee, with instructions to amend by re-inserting the following :

"Salaries, legislative department, for compensation of the members of the common council, for the years 1858 and 1859, at the rate of twelve hundred dollars per annum each, ninety-eight thousand four hundred dollars."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

Mr. P. P. Murphy, from the committee on the incorporation of cities and villages, reported back said bill, with amendment, as directed by the Senate.

Said bill, as amended, was then read a third time.

The President put the question whether the Senate would agree to the final passage of said bill, and it was decided in the affirmative, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths of said members being present, as follows :

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Prosser	Rotch
Blood	Goss	Lawrence	Ramsey	Sessions
Colvin	Grant	Munroe	Richmond	Warner
Connolly	Kelly	J. M. Murphy	Robertson	Williams
Fiero				

21

FOR THE NEGATIVE.

Ferry McGraw Manierre Montgomery P. P. Murphy 5

Ordered, That the Clerk return said bill to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with amendments.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That this Legislature will adjourn *sine die*, April 16, at 8 o'clock P. M.

On motion of Mr. Spinola and by unanimous consent, the rules were suspended, and said resolution was ordered to be considered immediately.

Mr. Fiero moved to amend by striking out "8" and inserting "10."

The President put the question whether the Senate would agree to said motion, and it was decided in the negative.

Mr. Spinola then moved to amend by striking out "8" and inserting "6."

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Abell	Gardiner	Lapham	Munroe	Ramsey	
Blood	Grant	Lawrence	J. M. Murphy	Rotch	
Colvin	Hillhouse	Manierre	P. P. Murphy	Spinola	
Fiero	Kelly	Montgomery	Prosser	Truman	20

FOR THE NEGATIVE.

Ferry	McGraw	Richmond	Robertson	Williams	6
Goss					

The President then put the question whether the Senate would agree to said resolution, as amended, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, with an amendment.

A message from the Assembly was received and read, in the words following, to wit:

The joint report of the judiciary committee of the Senate and Assembly, in accordance with the following resolutions, passed March 22, to wit:

Resolved, (if the Assembly concur,) That the judiciary committee of the Senate and Assembly, be directed to examine and enquire into the condition of the Law Library of the State, contained in the State Library in the city of Albany, and to report upon the necessity of legislative action to preserve the same from destruction.

Report, That they find that the act establishing the State Library declares its purpose "for the use of the government and people of the State," and as it further provides that books shall not be taken from the library, except by the officers of the government, it is manifestly to be used for the purposes of reference. This is especially true of the law department, and the committee regret to find that for several years past its use as thus restricted has been so extended as to be made a place of study to an almost unlimited extent, to the great inconvenience, and sometimes almost to the exclusion of the judges of the courts and the bar, for whose use this department of the library was especially established. The committee believe that under existing laws the trustees of the library have full power to make such regulations as they may deem necessary for its preservation, and for its application to the important purposes for which it was established, even to its exclusive use, if they may deem necessary. The committee do not regard further legislation necessary, and only recommend the adoption of the following resolution:

Resolved, (if the Senate concur,) That the law department of the State

Library, having been established for the use of the officers of the government, the courts and the bar, as a library in which shall be gathered books to which such officers may be required to refer in the exercise of their duties; therefore, it is the duty of the trustees of the said library to secure its uninterrupted use to such purposes, whenever in their judgment it may become necessary; and that to secure that end the said trustees should limit its use to such persons and officers, especially during the sessions of the Legislature and the terms of the courts; and should also, if it becomes necessary, enclose the books on the shelves, and make any other rules and regulations for the preservation of said library which may not be inconsistent with the purpose thereof and the statutes concerning the same.

On motion of Mr. Colvin and by unanimous consent, the rules were suspended, and said resolution was ordered to be considered immediately.

The President put the question whether the Senate would agree to the adoption of said resolution, and it was decided in the affirmative.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

Mr. Truman moved to take from the table the motion to reconsider the vote on the resolution in relation to investigating the affairs of the public offices of New York."

The President put the question whether the Senate would agree to said motion to take from the table, and it was decided in the affirmative.

Mr. Truman then withdrew his motion to reconsider, previously made, and the resolution was adopted.

Mr. Prosser moved that the committee of the whole be discharged from the further consideration of the Assembly bill entitled "An act to authorize the construction of a draw or swing bridge over Black Rock harbor, in the city of Buffalo," and that said bill be ordered to a third reading.

Mr. Truman moved to lay that motion on the table.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Ferry	Grant	Lapham	Manierre	Sessions	
Fiero	Hillhouse	Lawrence	Montgomery	Truman	
Gardiner					11

FOR THE NEGATIVE.

Colvin	Goss	McGraw	Prosser	Ramsay	
Connolly	Kelly				7

The President announced as the committee to investigate the affairs of officers of the corporation of the city of New York, Messrs. Spinola, Truman, Manierre, Hillhouse and Lawrence.

Mr. Goss moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to prevent bribery and corruption," and that the same be ordered to a third reading.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative, as follows:

FOR THE AFFIRMATIVE.

Fiero	Manierre	P. P. Murphy	Ramsay	Wainer	
Gardiner	Montgomery	Prosser	Truman	Williams	
Goss	J. M. Murphy				12

FOR THE NEGATIVE.

Colvin	Ferry	Grant	Lawrence	Sessions	
Connolly					6

A message from the Assembly was received, informing that they had

concurred in the passage of the following entitled bills, without amendment, to wit:

"An act to amend an act entitled 'An act to facilitate the progress of civil actions in which the people of the State are parties.'"

"An act to legalize the formation of school district number 18, in the town of Cortlandt, Westchester county."

Ordered, That the Clerk deliver said bills to the Governor.

By unanimous consent, Mr. Truman moved that the hour of adjournment be extended until 7 o'clock.

A message was received and read, from his Excellency the Governor, in the words following, to wit:

STATE OF NEW YORK—EXECUTIVE DEPARTMENT, }
ALBANY, April 16, 1861. }

TO THE SENATE: I approved the bills bearing the following titles, at the dates respectively named, to wit:

- April 8. "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester."
8. "An act to amend and consolidate the several acts relating to the village of Palmyra."
8. "An act to amend and consolidate the several acts in relation to the village of Kingston."
8. "An act for the preservation of game in the counties of Suffolk and Queens, Long Island."
8. "An act to authorize the supervisor of the town of Hempstead, in the county of Queens, to convey certain lands to William H. Dannat."
8. "An act to increase the number of directors of the Richmond County gas light company."
8. "An act to provide for the incorporation of skating parks and sporting grounds."
8. "An act to amend the charter of the Troy savings bank."
8. "An act to consolidate and amend the several acts relating to the incorporation of the Rensselaer Institute."
8. "An act to amend an act entitled 'An act to incorporate the Monroe County savings institution,' passed April 8, 1850."
8. "An act in relation to the draining of certain lands in the town of Cicero, in the county of Onondaga."
8. "An act to protect the Croton aqueduct from injury during the progress of any work required for its improvement and enlargement."
8. "An act to enable the supervisor of the town of Ellisburgh, in the county of Jefferson, to borrow money."
8. "An act further to amend an act entitled 'An act to incorporate the village of Kinderhook,' passed April 18, 1838."
8. "An act in relation to the draining of certain lands in the town of Preble, county of Cortlandt."
8. "An act to amend the 53d section of the Code of Procedure, entitled 'Of courts of justices of the peace.'"
8. "An act to incorporate the Poughkeepsie gymnasium."
8. "An act to amend the act entitled 'An act in relation to the Grosvenor Library, of the city of Buffalo,' passed April 11, 1859."
10. "An act authorizing the board of supervisors of the county of Lewis to raise \$2,500 upon the taxable property of the town of Lowville."

- April 10. "An act to amend the charter of the village of Oneida Castle."
10. "An act to incorporate the Children's Home Society."
10. "An act for the appraisal and payment of canal damages to Jeremiah Van Buren."
10. "An act to incorporate the Loaner's Association of the city of New York."
10. "An act to enable the supervisors of the county of New York to acquire and take lands for the building of a court house in said county."
11. "An act to amend an act passed April 9, 1855, entitled 'An act to release and confirm the title to certain lands under water in the South Bay, in the city of Hudson, in the several corporations and persons therein named, and for other purposes.'"
11. "An act to amend an act entitled 'An act to incorporate the village of Panama,' passed March 20, 1861."
11. "An act relative to local improvements in the city of Brooklyn."
12. "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical, or chemical purposes,' passed February 17, 1848."
12. "An act to provide for holding a special meeting in the village of Middleport, and transacting business thereat."
12. "An act to provide against mutilation of records in the city of New York."
12. "An act for the preservation of fish in Canandaigua lake and the inlet thereof, lying within the counties of Ontario and Yates."
12. "An act to amend section 4, chapter 506 of the laws of 1851."
12. "An act to repeal the charter of the Westfield and Clymer plankroad company, and the Westfield and Sherman plankroad company."
12. "An act to authorize and empower the board of supervisors of the county of Greene to divide and apportion certain excise moneys among the several towns of said county."
12. "An act in relation to the Auditor of the Canal Department."
12. "An act to amend section 27 of an act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847."
12. "An act to amend an act entitled 'An act to consolidate and amend the several acts relating to the village of Watkins,' passed April 8, 1861, and to enlarge the powers of the corporation of said village."
12. "An act to amend an act entitled 'An act to authorize the town of West Farms to macadamize a public road in said town.'"
12. "An act to amend chapter 372 of the laws of 1860, entitled 'An act to authorize the corporation of the city of New York to borrow a further sum of money to increase the supply of Croton water, and to extend the necessary works for accumulating and distributing the same in said city.'"
12. "An act to confirm the title of Francis Edwin Bauer and Edward Ferdinand Bauer to a certain piece of land, and to allow them to hold and convey real estate."
12. "An act to authorize the Farmerville Rural Cemetery Association to remove the bodies buried in their cemetery; also, to sell and convey said grounds."

- April 12. "An act to continue the corporate existence and powers of the Lake Ontario, Auburn and New York railroad company."
12. "An act to alter the Commissioners' map of the city of Brooklyn."
12. "An act relative to the chamberlain of the city of New York."
13. "An act to provide means to support the Government."
13. "An act to incorporate the Artists' Fund Society, of the city of New York."
13. "An act to incorporate the American Church Missionary Society."
13. "An act to extend the charter of the Elmira and Southport bridge company."
13. "An act to widen Main street, in the city of Brooklyn."
13. "An act authorizing the construction of a railroad through certain streets in the city of Syracuse, and town of Geddes, in the county of Onondaga."
13. "An act to incorporate the Market savings bank of Troy."
13. "An act to amend an act entitled 'An act to encourage the construction of sidewalks in Unadilla, chapter 342 of the laws of 1860.'"
13. "An act to incorporate the German hospital, in the city of New York."
13. "An act to incorporate the Wayne County savings bank, at Lyons."
13. "An act for the relief of Augusta Reppell."
13. "An act to legalize the acts of Jones Ostrander and William Phillips, constables of the town of Danby, for the years 1860 and 1861."
13. "An act to authorize a part of the records and filed deeds of the counties of Oneida and Herkimer to be transcribed and deposited in the clerk's office of the county of Jefferson."
13. "An act to authorize the trustees of the village of Olean to open Hamilton street, in said village."
13. "An act making appropriations for the support of government, for the fiscal year commencing on the first day of October, 1861."
13. "An act to enlarge the powers of the trustees of the village of Jamestown, Chautauqua county."
13. "An act to amend an act entitled 'An act to organize and establish a Recorder's court in the city of Buffalo, and for other purposes,' passed April 20, 1839, amended March 28, 1854, organizing the Superior Court of Buffalo."
13. "An act to amend the act entitled 'An act to amend the act entitled 'An act to provide for the incorporation of villages,' passed December 7, 1847, so far as relates to the village of Valatie, in the county of Columbia, passed April 6, 1860.'"
13. "An act in relation to constables in the city of Brooklyn."
13. "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Hudson.'"
13. "An act in relation to the doings of the board of supervisors of the county of Jefferson, under the act passed April 15, 1859, authorizing said board to levy a tax on the town of Watertown to purchase a site for a new court house in the village of Watertown, and to amend said act."

April 13. "An act to amend the charter of the Schuylerville bridge company."

13. "An act to amend section 1, chapter 400 of the laws of 1860, entitled 'An act for the relief of Lewis Benedict, for canal damages,' passed April 14, 1860."
13. "An act to amend the Revised Statutes in relation to trials by jury."
13. "An act for the appraisal and payment of canal damages to Walter R. Milliken."
13. "An act in relation to school district No. 18, in the town of Fishkill."
13. "An act to annex a part of the town of Carmel, in the county of Putnam, to the town of Putnam Valley, in said county."
13. "An act to amend an act entitled 'An act to provide for the preservation of fish in the waters of Oneida lake and its tributaries,' passed April 17, 1857, and an act amendatory of the same, passed April 18, 1859."
13. "An act in relation to operators and others in the employ of telegraph companies, in this State."
13. "An act to incorporate the Metropolitan fair ground company of Westfield, Chautauqua county, New York."
13. "An act for the appraisal and payment of canal damages to Gilbert Wolven."
13. "An act for the appraisal of damages to David Cady Smith and others."
13. "An act to amend an act entitled 'An act to incorporate Manlius village,' passed April 11, 1842."
13. "An act in relation to the construction of cross and side walks, in the village of Forestville."
13. "An act to amend section 36 of chapter 5, title 1, part 3, of the Revised Statutes."
13. "An act to amend an act entitled 'An act to authorize the laying of a railroad track in Broadway, and through certain other streets, in the city of Brooklyn and New Lots, in the county of Kings, passed April 17, 1858, and also an act amendatory thereof,' passed April 16, 1860."
13. "An act relinquishing title and ceding jurisdiction to the United States over certain lands in the city of Oswego, to be occupied as a pier, and to rescind the contract of a sale of said land."
13. "An act to organize a fire department and board of fire commissioners in and for the city of Troy."
13. "An act for the relief of Hannah Russell."
13. "An act to incorporate the New York Volunteers' Burial and Monument Association."
13. "An act to abolish the commission appointed by chapter 597 of the laws of 1857, and chapter 176 of the laws of 1859, in reference to claims for the services of the militia of this State, in the war of 1812."
13. "An act conferring additional corporate powers upon Malone village."
13. "An act providing for the appointment of an additional number of notaries public in the city and county of New York."
15. "An act for the relief of Catharine Storms."
15. "An act for the relief of Sarah D. Everson."
15. "An act for the relief of Noone & Fitzgerald."

- April 15. "An act to authorize the appraisal and payment of canal damages to Nathan Marble."
15. "An act to reduce the number of overseers of the poor in the county of Ontario, and to fix the salary for the performance of the duties of the office in the town of Seneca, in said county."
15. "An act to authorize and establish a jail or lock-up, in the village of West Troy, in the county of Albany."
15. "An act to legalize the acts of Elijah Phillips, as justice of the peace."
15. "An act in relation to the number of superintendents of the poor in the county of Oswego."
15. "An act to amend an act entitled 'An act for the incorporation of companies to navigate the lakes and rivers,' passed April 15, 1854."
15. "An act to amend an act entitled 'An act to amend an act for the incorporation of benevolent, charitable, scientific and missionary societies,' passed April 12, 1848, passed April 7, 1849, passed April 7, 1857."
15. "An act authorizing the board of supervisors of the county of New York to levy a tax for various purposes, and to regulate the expenditure thereof; and also, to borrow money in anticipation of the collection of the taxes for the year 1861, and to issue county revenue bonds therefor."
15. "An act to amend an act entitled 'An act to lay out and construct a road from the State pond at the head of the Black River canal feeder, in the town of Remsen, Oneida county, to Transparent or Jock's lake, in township No. 6, Moose river tract, in Herkimer county,' passed April 18, 1859."
15. "An act to confirm and legalize a certain contract made with John Slattery, for regulating and grading Eightieth street, in the city of New York."
15. "An act for the appraisal and payment of canal damages to John W. Vanderbosch."
15. "An act to authorize the common council of the city of Rochester to raise money for the purpose of widening the bridge over the Genesee river at Main street in said city."
15. "An act authorizing the appraisal and payment of damages to Avery S. Delano, James Sleeper and Harvey D. Spaulding, caused by a break in the Erie canal, in the town of Royalton, Niagara county."
15. "An act to confirm the acts of notaries public."
15. "An act for the relief of Lyman Gibson."
15. "An act to authorize the trustees of the Asylum for Idiots to purchase additional land."
15. "An act for the relief of James Burke and Lawrence Claffy."
15. "An act for the relief of Horace Pierce, W. W. Barker, B. A. Son, William Van Horn and Roswell Kelsey."
15. "An act to amend an act entitled 'An act to remove doubts concerning the corporation of the Chamber of Commerce, and to confirm the rights and privileges thereof,' passed April 13, 1784."
15. "An act to amend the charter of the Long Island railroad company."
15. "An act to establish a nautical school in the harbor of the city of New York."
15. "An act relative to St. Stephen's College."

April 15. "An act to incorporate a company for the safe keeping and delivery of valuable packages and property, by means of fire and burglar proof safes, to be located in the city of New York."

15. "An act authorizing Wm. Griffin to convey by deed his title to a certain house and lot in the village of Plattsburgh, to the trustees of the First Methodist Episcopal Church of said village."
15. "An act authorizing the trustees of the village of Flushing to convey land for a town hall."
15. "An act to incorporate the Rochester Historical Society."
15. "An act to amend chapter 898 of the laws of 1860, entitled 'An act to provide for the appraisal and payment of canal damages to Abel Downs and Seabury S. Gould.'"
15. "An act for the relief of Benjamin F. Gaakell, Olive Gaakell, John Thorn, Benjamin F. Farnam, Sally J. Farnam, William Robinson, Robert T. Pearson, Grace Newbury, and the legal representatives of Henry Pearson, deceased."
15. "An act to authorize the common council of the city of Albany to increase the salary of the city superintendents of said city, and to provide for the appointment of said superintendents."
15. "An act releasing the interest of the State of New York in certain premises situate in the town of Prattsburgh, in the county of Steuben, to the superintendents of the poor of said county."
15. "An act authorizing the board of education of school district No. 1, late of the town of West Farms, now of the towns of Morrisania and West Farms, to borrow money to build a school house in said district."
15. "An act in relation to the Union free school in the village of Hamilton, in the county of Madison."
15. "An act to amend an act entitled 'An act to promote agriculture,' passed May 5, 1841, and the acts amendatory thereof."
16. "An act making appropriations for certain expenses of Government."
16. "An act to authorize the appraisal and payment of damages to Skilman D. Dickerson and to Noah H. Osborne."
16. "An act relating to the charter of the city of New York."
16. "An act to amend an act entitled 'An act incorporating the Great Island turnpike company,' passed April 9, 1813."
16. "An act to amend an act entitled 'An act for the preservation of the bridge over the Oswego canal and Oswego river, at Oswego Falls,' passed June 30, 1851."
16. "An act for the relief of Addison G. Williams, Milton T. Butts and Peter B. Williams."
16. "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo, and enlarge its boundaries,' passed April 13, 1853, and the several acts amendatory thereof."
16. "An act for the relief of the heirs and legal representatives of Ralph Thurman, deceased."
16. "An act for the relief of Josiah Blackwell."
16. "An act for the relief of Reuben H. Bangs and Seymour Pratt."
16. "An act for the relief of Mary Worrall."

E. D. MORGAN.

On motion of Mr. J. M. Murphy—

Resolved, That the thanks of this body are eminently due, and are hereby tendered to the Hon. Wm. H. Ferry, President *pro tem.* of the Senate, for the impartial and satisfactory manner in which he has presided over our deliberations.

On motion of Mr. Lawrence—

Resolved, That the thanks of the Senate be tendered to James Terwilliger, for the able and efficient manner in which he has discharged his duties as Clerk of the Senate.

On motion of Mr. Ferry—

Resolved, That the thanks of the Senate are hereby tendered to Hon. Nathan Lapham, for the courteous and impartial manner in which he discharged the duties of temporary presiding officer of the Senate.

On motion of Mr. Blood—

Resolved, That the thanks of the Senate are due to the Reporters, for their accurate and laborious reports of the proceedings of this body.

On motion of Mr. Truman, the Senate took a recess until a quarter to 7 o'clock.

QUARTER TO SEVEN O'CLOCK, P. M.

The Senate again met.

On motion of Mr. Manierre, the Senate took a recess until 8 o'clock.

EIGHT O'CLOCK, P. M.

The Senate again met.

A message from the Assembly was received, requesting the concurrence of the Senate to the following resolution:

Resolved, (if the Senate concur,) That this Legislature adjourn this day, April 16, at 9 o'clock P. M.

On motion of Mr. Prosser and by unanimous consent, the rules were suspended in order that said resolution might be considered immediately.

On motion of Mr. Prosser, the resolution was adopted.

Ordered, That the Clerk return said resolution to the Assembly, with a message informing that the Senate have concurred in the passage of the same, without amendment.

A communication was received and read, in the words following:

ALBANY, April 16, 1861.

To the Senate of the State of New York:

SENATORS—It is with great pleasure that I have received at the close of our official relations, the resolution of your body approving of the manner in which I have discharged the duties of your presiding officer.

Permit me to return to you my sincere thanks for the uniform courtesy and kindness which has been extended to me by each member and officer of the Senate, and to express my best wishes for your future happiness and prosperity.

Very respectfully, R. CAMPBELL.

Messrs. Pierce and Buckbee, a committee from the Assembly, appeared and announced that that body was now ready to adjourn.

On motion of Mr. Lapham—

Resolved, That a committee of two be appointed by the Chair to wait upon the Assembly and notify them that we are prepared to adjourn.

Ordered, That Messrs. Lapham and Gardiner, be such committee.

On motion of Mr. P. P. Murphy—

Resolved, That a committee of two be appointed to wait on the Governor and inform him that the Senate is ready to adjourn.

Ordered, That Messrs. P. P. Murphy and Lawrence, be such committee.

By unanimous consent, Mr. Fiero moved that the Clerk of the Senate be requested to transmit the confirmation of H. H. Van Dyck, as Superintendent of the Bank Department, to the Governor immediately.

The President put the question whether the Senate would agree to said motion, and it was decided in the affirmative.

A message from the Assembly was received, informing that they had non-concurred in the passage of the following entitled bill:

"An act in relation to attempts to escape by convicts in State prisons."

Mr. P. P. Murphy, from the committee appointed to wait on his Excellency the Governor and inform him that the Senate was ready to adjourn, announced that they had discharged that duty, and that he was pleased to say that he had no further communication to make, and wished each Senator a safe and happy journey home.

Mr. Lapham, from the committee appointed to wait on the Assembly and inform that body that the Senate was now ready to adjourn, announced that they had discharged that duty.

A message from the Assembly was received and read, in the words following, to wit:

ALBANY, April 16, 1861.

Resolved, That the Senate be requested to meet the House in this Chamber, immediately after nine o'clock this evening, to join in patriotic exercises worthy of the emergencies of the times and of the country.

By order.

H. A. RISLEY, Clerk.

On motion of Mr. Goss, said invitation was accepted.

A message from the Assembly was received, informing that they had concurred in the amendments of the Senate to the following entitled bills:

"An act to lay out and construct a road from Jones Ordway's, in the town of Johnsburgh, to the Carthage road, near the head of Long lake, in the county of Hamilton."

"An act to enable the supervisors of the county of New York to raise money by tax to defray the expenses, in part, of the support of the government of the city of New York, and to regulate the expenditure thereof; also, to provide for deficiencies caused by erroneous assessments and the non-collection of taxes."

"An act to amend an act entitled 'An act to provide against unsafe buildings in the city of New York.'"

Ordered, That the Clerk return said bills to the Assembly.

The hour of nine o'clock having arrived, the President *pro tem.*, (Mr. Ferry,) addressed the Senate as follows:

SENATORS—I congratulate you upon the termination of your labors, and extend to the members and officers of this body my sincere wish for your health and prosperity. Accept my thanks for the flattering resolution expressing your approval of my efforts to discharge my duties during the short time I have presided over your deliberations.

I cannot suffer this opportunity to pass without making my grateful acknowledgements for the uniform kindness I have at all times received from each of you, and more particularly do I wish to acknowledge the friendly sympathy so often extended during the sad period of affliction in the early part of the Session. Be assured I shall always cherish the memory of those kindly acts and sympathetic words. Affliction has also invaded the domestic circle of the honorable Senator whose seat is next to mine. In our sad-

ness, we ought to be, and we are thankful, that no other Senator returns to a home made desolate by death.

And now, in pursuance of the concurrent resolution of the Senate and Assembly, I pronounce this Senate adjourned, without day.

And then the Senate adjourned.

JAS. TERWILLIGER, *Clerk.*

INDEX

TO THE

JOURNAL OF THE SENATE.

A.

- Academy of Music in New York city. (See New York city.)
- Actions in which people of the State are parties, act to amend act to facilitate, . . . 84, 116, 263, 265, 267, 362, 364, 370, 377, 620
- Adams, village of, act supplementary to an act to provide for rebuilding bridge in, . . . 394, 432, 441, 442, 458, 501
- Addison, village of, act to provide for election of police justice and constable in, and to legalize acts of Henry W. Sanford and Francis E. Young, as such justice and constable, until next corporation election, . . . 539, 547
- Adjournment of Legislature, concurrent resolutions for, . . . 38, 41, 43, 50
188, 198, 208, 210, 479, 493, 560, 582, 587, 605, 607, 608, 612
618, 626
of Senate, resolutions for, . . . 4, 58, 59, 61, 79, 80, 154, 216, 233
234, 261, 343, 450
- Adjutant General, resolution to print extra copies of report. . . . 84, 87
- Administrators and guardians, bill concerning, in relation to wills, &c., . . . 416, 424, 493, 506, 516, 566
- Affidavits, bill in relation to, . . . 128, 191, 221
- Afternoon sessions, resolutions for, . . . 258, 336, 369, 445, 493
- Agricultural College (State), petition for State aid to, . . . 192, 195
bill making appropriation in aid of, . . . 241, 340, 390, 466, 478
486, 488
- and Horticultural societies, act to amend act to facilitate forming of, . . . 257, 308, 391, 393, 410, 499
- society of Columbia county. (See Columbia county.)
- society, Monroe county. (See Monroe county.)
- society, New York State, invitation from, to attend annual meeting, . . . 166
- resolution to print Transactions of, . . . 475, 559
- Agriculture, act to amend act to promote, . . . 538, 544, 567, 625
among Indians. (See Indians.)
- Albany city common council, petition of, to exempt city of Albany from operation of excise laws, . . . 290
- Female Academy of Sacred Heart, act to incorporate, . . . 73, 77
109, 112, 232, 270, 493
- Hebrew Reform and Benevolent society, bill to amend charter of, . . . 162, 177, 338

Albany city, inspectors of election, bill to provide for appointment of, and to designate places at which elections are to be held,	293
remonstrance against,	278
Masters' Lodge No. 5, act to empower to hold real estate, ..	372
407, 424, 446, 501	
police board, remonstrance of, against passage of law designating places for holding polls of election, &c.,	278
school district, petition for discontinuance of, west of Perry street,	323
school districts, act amendatory of several acts relating to, ..	325
330, 349, 352	
superintendents, bill to authorize common council to increase salary of,	325, 330, 342, 579, 605, 625
Albany and Susquehanna railroad, petitions for aid to, ..	45, 48, 51, 53
55, 59, 64, 66, 72, 77, 83, 86, 90, 95, 101, 105, 111, 116, 126	
131, 135, 143, 148, 154, 163, 167, 170, 175, 181, 187, 191	
192, 195, 202	
resolution for appointment of select committee on,	46
report of,	87, 97
resolution to print report of,	114, 116
remonstrances against aid to,	163, 175, 181, 187, 202
bill to facilitate construction of,	87, 110, 125, 165, 167, 206
216, 446, 451, 605	
message from Governor vetoing,	495, 525
Albany and Vermont railroad, bill in relation to,	456, 460
remonstrances against,	462, 512
petitions for,	512
Albion, village of, petition for amendment of charter,	315
bill to amend charter,	350
Alemannia Life Policy holders' society, bill to incorporate,	333
Allegany river, act to authorize town of Allegany to build bridge across,	210
Allen, Horace, act for relief of, ..	111, 118, 203, 287, 289, 293, 295, 596
resolution requesting Canal Board to transmit action on claim of,	154
reply of,	162
American Church Missionary society, act to incorporate, ..	189, 240, 382
383, 391, 397, 545, 622	
Institute, Transactions of, resolution to print,	475, 559
Ames, Orson, Loren Goulding and John Sayles, act to legalize acts of, as superintendents of the poor of Oswego county, ..	163
176, 278, 280, 294, 497	
Anable, John S., resolution for removal of, from office of Harbor Master,	509, 577
Anderson, Maj. Robert, resolution for committee of three to present sword to,	47
Angelica, town of, act to assess upon, a portion of the expenses in repairing the court house in said town, ..	427, 438, 454, 455
463, 502	
village of, bill to repeal act incorporating,	435
Animals, bill to prevent and punish cruelty to,	271, 444
Appeals from decision of President of Senate,	182, 186, 194
Court of. (See Court.)	
Appeals, court of. (See Court of Appeals.)	
Appropriations for canal debt, &c. (See canal debt.)	

Appropriations for support of government for fiscal year commencing	
October 1, 1861, act making, ..	257, 260, 340, 344, 348, 390
395, 431, 440, 441, 452, 454, 466, 467, 468, 517,	622
for certain expenses of government, act making,	394, 484, 495
504, 506, 510, 514, 519, 549, 561, 564,	625
report of committee of conference on,	549
Arms and equipments for militia. (See militia.)	
Arsenal in Brooklyn and Ballston Spa. (See Brooklyn.)	
Arson, bill in relation to cases occurring previous to March 4, 1860,	333
341, 346, 351, 356, 366,	545
Artists' Fund society, act to incorporate, .	45, 50, 52, 65, 80, 93, 96, 98
539,	622
Assembly, committees from,	6, 69, 139, 195, 626
committees to wait upon,	4, 69, 138, 403, 626
resolution from, requesting Senate to appoint joint com-	
mittee on Federal relations,	52, 60
resolutions from, requesting papers of Jonas W. Compson	
and Lewis Benedict,	52
resolution from, requesting papers of Salmon Butts,	62
resolutions from, tendering to the President of the United	
States, whatever aid in men and money he may require	
to enforce the laws,	57, 58
resolution from, requesting papers of Nooné & Fitzgerald,	81
resolutions from, requesting papers of Gertrude C. Doe and	
of Sodus Bay Bridge company,	91
resolution from, requesting appointment of joint committee	
to make arrangements to receive President elect	166
joint or concurrent resolutions from. (See concurrent reso-	
lutions.)	
consent of, asked that Senate may adjourn from March 1,	
to March 7,	261
consent granted,	261
claim bills, resolution to report to select committee, .	556, 558
resolution from, requesting Senate to join them in patriotic	
exercises,	627
Assessment and collection of taxes, bill to amend Revised Statutes,	347
350	
of highways on lands of non-residents, bill to amend act in	
relation to,	388, 437
on incorporated companies, petition for act to amend laws	
in relation to,	202
Assessments in Brooklyn. (See Brooklyn.)	
in New York city. (See New York.)	
Assessors; State Board of, resolution to print report of,	191, 196
Assignees, bill to amend act in relation to debtors who convey for	
benefit of creditors. (See creditors.)	
Assignments, voluntary, by insolvent debtors, bill to amend Revised	
Statutes relative to,	250, 279, 333, 351, 354, 581
Astoria and New York Steam Ferry company, bill to incorporate, .	83
Asylum for Idiots. (See State Asylum for Idiots.)	
Inebriate, New York State. (See Inebriate Asylum.)	
for insane convicts, report of,	52
for insane convicts. (See State Lunatic Asylum.)	
juvenile reformatory, bill to authorize incorporation of, ...	474
516	
State Lunatic. (See State Lunatic Asylum.)	

Attorney General, resolution requesting opinion of, as to liability of the State to pay Squire Whipple for his patent iron truss bridge,	103
report of,	124
Auburn city charter, act to amend act to revise, 188, 205, 208, 211, 281	
and New York railroad company. (See Lake Ontario and)	
prison, bill to complete enlargement of,	223, 308
prison, bill to increase duties and compensation of physicians of,	292, 346, 351, 370, 376, 377
and Rochester railroad, act making appropriation to redeem State stock issued to,	71, 81, 100, 101, 108, 280
Auditor Canal Department, resolution to print report of,	124, 126
	258, 326
resolution requesting, to report all unpaid drafts from 1850 to this time,	222
report of,	526
act in relation to,	372, 387, 460, 481, 490, 511, 518, 621
Aurora, town of, act authorizing supervisor of, to borrow \$3,000 for building bridges,	401, 418, 428, 462, 502
Austin, Corhelius and Mary, petition of, for relief,	111

B.

Baker, Wm. W., petition of, &c. (See Pierce, Horace.)	
Ballston Spa, bill in relation to arsenal in,	328
Bangs, Reuben H. and Seymour Pratt, petition of, for relief,	48
act for relief of,	49, 53, 203, 460, 481, 486, 489, 608, 625
Bank of America, communication from,	55
Genesee county. (See Genesee.)	
Bank Superintendent. (See Superintendent Banking Department.)	
Banking, bill to amend act to authorize business of,	178
Banking associations, bill subjecting in cases of insolvency, to proceedings authorized by Revised Statutes,	422, 424
Baptist church in Hoosick. (See Hoosick.)	
Barnhardt, Marian, act to release interest of State in certain lands to,	436, 453, 455, 456, 466, 501
Barrels, bill in relation to sale of,	121, 145, 177
Bath and Coney Island bridge company, act to incorporate, ...	537, 547
	588, 599, 602
Bauer, Francis and Edwin, and Edward Ferdinand, act to confirm title to certain piece of land, &c., ...	436, 442, 483, 486, 508
	528, 621
Bay Ridge Fire company, act incorporating, 100, 118, 216, 219, 239, 242	
Beaver river, petition for improvement of,	42
Bell, Hon. James A., resolutions of condolence with,	100
leave of absence granted to,	344
Bellevue Hospital, act to incorporate,	316, 324, 331, 353, 371, 388
	428, 501
Bellinger, Peter F., act authorizing to change name, by substituting word "Bellinger" for "Iron" in bank notes issued by him,	328, 382, 351, 355, 612
Benedict, Lewis, resolution from Assembly, requesting papers relative to claim of,	52
act for relief of,	394, 433, 473, 556, 562, 571, 623
Benevolent, charitable and other societies, act to authorize sale or leasing of real estate of, ...	132, 155, 277, 288, 297, 315, 498
Benevolent, charitable, scientific and missionary associations, act to amend act for incorporation of, .	474, 522, 588, 589, 592, 624

- Bethlehem, road in, act for better regulation of, 386, 418, 428, 432
 441, 462, 501
 bill to repeal act for better regulation of road in, . . . 479, 482
- Billinghurst, Henry and Wm. C. Rowley, act authorizing to apply
 to surrogate of Monroe county to sell lands of S. Marvin
 Hughes, deceased, 38, 39, 280
- Bills of exchange, &c., bill to amend act to designate holidays to
 be observed in payment of, . 97, 107, 116, 301, 303, 318, 319
 324, 331, 353, 525
- Bills ready for third reading, notice to suspend rule 26, so as to al-
 low to be read on same day ordered to third reading, . . 524
- Binghamton, school in, act in relation to, 504, 509, 512, 516, 528
 village, act to amend acts to consolidate, . . 352, 363, 381, 382
 399, 405, 603, 608
- water works, permitting trustees of village of, for law al-
 lowing village to take stock in, 302, 307
 act authorizing, 308, 339, 343, 349, 358
- Birds, bill to amend act for preservation of, . 97, 395, 438, 441, 455, 463
 466, 481
- Black river, act respecting appropriation of waters of, . . 144, 156, 177
 216, 280, 315, 403, 404, 409, 414, 416, 603, 608
- Black Rock harbor, act authorizing Canal Commissioners to drain
 and restore lands overflowed by back water from, . . 475, 508
 575, 583, 598
- bill to authorize construction of draw or swing bridge
 over, 426, 433, 474, 575, 583, 592, 619
- Blackwell, Josiah, act for relief of, 49, 74, 153, 277, 288, 292, 297
 600, 625
- resolution relative to papers of, 50
- Boards of health in Columbia county. (See Columbia county.)
 in Niagara county. (See Niagara county.)
- Boards of supervisors. (See supervisors.)
- Boundary Commissioners, report of, 161, 162
 resolution to print, 174, 175, 189
- Brevoort, J. Carson, elected Regent of the University, 137, 139
- Bribery and corruption, bill to prevent, . . . 168, 172, 325, 460, 481, 619
- Bribery at elections, concurrent resolution to amend Constitution so
 as to prohibit, 372
- Bridge in Adams village. (See Adams.)
- Bridge across Allegany river. (See Allegany.)
 in Aurora. (See Aurora.)
 across Black Rock harbor. (See Black Rock.)
- Bridge, Bushwick and Newtown. (See Bushwick.)
- Coles or Harlem, in New York. (See New York.)
- Elmira and Southport. (See Elmira.)
- in Hoosick. (See Hoosick.)
 over Genesee Valley canal. (See Genesee Valley canal.)
 across Oswego canal and river. (See Oswego.)
- Rapelyea or Pelham. (See Rapelyea.)
- in Rochester. (See Rochester.)
 across Sacandaga river. (See Sacandaga.)
- Schoharie Kill company. (See Schoharie.)
- Schuylerville bridge company. (See Schuylerville.)
 across State drain, in Lysander. (See Lysander.)
 over Sing Sing Kill. (See Sing Sing.)

Bridges belonging to the State, act for protection of,.....	179, 187, 274 279, 292, 295
Brigham Hall, petition of President of, for exemption from taxation,	131
Brighton, town of, act to prohibit cattle from running at large in, .	36 40, 51, 65, 71, 78, 74, 603, 608
Brockport and Clarkson plank road, act authorizing reduction of number of directors of,.....	117, 239, 311, 497
Bronson, Greene C., reply of, to resolution of Senate, as to persons employed in opening streets in New York, &c.,.....	152
elected Commissioner to Washington, ..	127, 133, 139, 140, 142
Brooklyn arsenal, act in relation to,.....	92, 118, 237, 262, 328, 331 334, 360
Brooklyn, assessments in, for local improvements, act to amend act in relation to,	92, 189
Atlantic avenue in, act to amend act to provide for widen- ing,	522, 575, 576, 587
Bushwick avenue in, act to amend act to widen and im- prove,.....	504, 516, 525, 532, 546, 556, 592
Bushwick and Newtown bridge company, bill to release certain rights to,	117
Central and Jamaica railroad, act to allow to extend their track, &c.,.....	78, 149, 193, 196, 197, 198, 215, 260, 261 266, 497
petitions for,.....	90, 96, 101, 104, 105, 111, 135, 143, 170
city court, act to transfer certain actions from, to Supreme court,.....	126, 177, 362, 364, 388, 499
city hospital, act to amend act incorporating,	81
city judge, act to fix salary of,....	126, 155, 192, 197, 218, 281
claims against, act to provide for payment of,	316, 509 516, 566
commissioners' map, acts to alter,....	132, 181, 196, 269, 276 423, 426, 477, 517, 622
commissioners' map, act to alter, and to provide for open- ing Third street,.....	505, 517, 525, 532, 557, 592
common council, bill to authorize to provide for deficiency in revenue.....	118, 262
constables in, act in relation to, ..	426, 434, 520, 522, 567, 622
corporate authorities, bill conferring certain powers on, ..	328 331, 334
Eleventh ward, resolution from Assembly, requesting pa- pers relative to,.....	55
bill to divide,.....	308, 520
excise laws, bill to amend,	257
Female Academy of Visitation, act to incorporate,	367, 371 407, 408, 419, 420
Fourth avenue, act to amend act to provide for widening,	517 521, 546, 584, 605
Franklin and other streets and avenues, act to provide for opening,	504
health in, bill relating to, and to promote,.....	241, 292
Industrial school, petition of, for relief,.....	191
local improvements in, act relative to, ..	189, 218, 219, 225, 251 515, 529, 621
Main street in, act to widen,.....	293, 371, 393, 509, 512, 518 555, 622
Mount Prospect square in, act for relief of owners of land taken for opening,.....	504, 517, 553, 598

Brooklyn, Paca avenue in. (See Kings county.)

Park in 12th ward, remonstrance against,	276
public park and parade ground, act to amend act to lay out and alter commissioners' map,	517, 523, 548, 553, 582, 605
railroad track in Broadway and certain other streets, and New Lots, act to amend act to authorize laying of,	385, 403 414, 429, 462, 623
sewerage and drainage, act to amend act in relation to, ..	293
387, 405, 419, 446,	501
schools, bill to amend act to reorganize and regulate,	523, 543
Third street in, act to provide for opening and improving, ..	505
517, 525, 532, 557,	592
University, act to incorporate,	237, 240, 248, 254, 395, 498
and Williamsburgh, bill supplemental to an act to consoli- date,	263, 264, 273, 549, 569, 570, 605
and Williamsburgh, act to amend act to consolidate into one municipal government,	426, 521, 546, 590
Broome county board of supervisors, act in relation to auditing ac- counts by,	164, 176, 362, 363, 375, 395, 499
Brown, Lewis, appointed page for balance session,	200
Bruce, Benjamin F., elected Canal Commissioner,	68, 70
Buffalo, Black Rock harbor in. (See Black Rock harbor.)	
Buffalo city charter, act to amend act to revise and enlarge bounda- ries of,	427, 484, 494, 508, 554, 625
Forest Lawn Cemetery, act authorizing reconveyance of lots in,	401, 408, 423, 424, 439, 500
Grosvenor Library in, act to amend act in relation to,	230, 251
424, 426, 438, 445, 493,	620
General Hospital, act authorizing to take and hold real estate, ..	505, 516
588, 591,	
recorder's court in, act to amend act to organize,	538, 546
568, 622,	
street railways in, act to confirm grants of, &c.,	293, 484, 502
589, 592, 594, 605,	
remonstrances against,	362, 408
taxes in, bill providing for better collection of, and for sale of lands for unpaid,	436
Water Works company, act to amend act to incorporate, ..	316
371, 382, 383, 397,	499
and Williamsville McAdam road company, remonstrance of, against Buffalo street railway bill,	362
Burdick, Mason A., act for relief of,	385, 393, 403, 404, 429, 500
Burke, James and Lawrence Claffy, petition of, for relief,	120
act for relief of,	121, 289, 338, 342, 354, 599, 624
Bushwick and Newtown bridge and turnpike company, bill to allow to widen draw, &c.,	117, 409, 454, 485, 518
Butts, barrels, hogsheads and casks, bill in relation to sale of, ...	121
145, 177,	
Butts, Milton, act for relief of. (See Williams, Addison G.)	
Butts, Salmon, resolution from Assembly, requesting papers of, ...	62
bill for relief of,	436, 507
Byram lake, petition for drawing seines in,	104

C.

Cab company, bill to incorporate. (See Metropolitan Cab company.)	
Calls of the Senate,	343, 478
Campbell, Daniel, relief of. (See McCue, James.)	

Campbell, Hon. Robert, resolution of thanks to, as presiding officer,	614
communication from, in response to resolution of thanks, .	626
Canada, petition for law prohibiting residents of this State going to	
Canada to marry, not being divorced,.....	278
Canal Appraisers, petition for assistant board of,	48
report of committee on petition,.....	73
annual report of,.....	131
resolution to print,	136, 144
bill to increase jurisdiction of,	437, 444, 519
Canal Auditor. (See Auditor Canal Department.)	
awards, interest on. (See Canal drafts.)	
Canal Board, resolution requesting, to report whether appropriation	
to Glen's Falls feeder has been expended, and how, 154,	158
report of, in answer,.....	217
resolution requesting to report their action on claim of	
Horace Allen,.....	154
reply of, in answer,	162
communication from, relative to Engineer corps on canals,	
&c.,	221
Canal, Chenango. (See Chenango canal.)	
Champlain. (See Champlain canal.)	
Canal claimants, bill for relief of,.....	437, 444, 519
Canal Commissioner, resolution to proceed to election of,	49, 58
election of,.....	68, 70
Canal Commissioners, resolution to print report of,.....	158, 163
act authorizing, to build sewer in Rochester, from Nelson	
street into Erie canal,.....	435, 472, 492, 556, 564, 573
act to drain lands at Black Rock harbor. (See Black Rock	
harbor.)	
Canal debt, act making appropriations for, and for maintenance of	
canals for fiscal year commencing October 1, 1861, .	68, 73
94, 109, 117, 122, 373, 498	
bill to provide means to pay interest on,....	257, 270, 390, 404
413, 564, 587, 593	
sinking fund, act to authorize Commissioners of, to invest	
portion of, for enlargement and completion of, 257, 270, 390	
404, 413, 500	
Canal drafts and awards, bills to provide for payment of interest	
on, . . 81, 90, 105, 115, 132, 169, 185, 209, 220, 312, 328, 406	
503, 509	
drafts and certificates, resolution directing Auditor Canal	
Department, to report number outstanding that were not	
paid on presentation, &c.,	222
report on,	526
Canals, completion of, act to repeal part of chapter 213, laws of	
1860, to provide means for, etc. (Engineer bill),....	494, 508
562, 576, 587	
Canals, enlargement of. (See Canal debt sinking fund.)	
Canals, Erie, Oswego, Cayuga and Seneca, bill in relation to com-	
pletion of, (long locks),.....	178, 270, 327, 333, 342, 368
Canals, navigation of, and collection of tolls, . act concerning, .	102, 106
130, 155, 174, 185, 200, 262, 266, 267, 431, 438, 451, 501	
Canandaigua lake, petition for law for preservation of fish in,	247
278, 290	
act for preservation of fish in, 290, 346, 362, 370, 374, 525, 621	
Capital punishment, bill to repeal act in relation to,....	36, 39, 341, 366
372, 479, 535	

Carmel, town of, act to annex part of, to town of Putnam Valley, ..	436
	507, 512, 516, 566, 623
Carroll, John M., appointed page for balance of session,	201
Carthage, act to construct road from Jones Ordway's to, ..	436, 437, 473
	598, 603, 615, 616, 627
Castleton, to incorporate Tompkinsville Fire Police company in.	
(See Tompkinsville.)	
Catskill, town of, bill to enable electors of, to vote by districts for	
town officers,	87, 92
Cattaraugus county, special judge, relating to,	597
Cattle in Brighton. (See Brighton.)	
Causes in Supreme Court and Court of Appeals. (See Court of Appeals.)	
Cayuga county board of supervisors, act in relation to auditing ac-	
counts by,	164, 176, 362, 363, 375, 395, 499
Cayuga Nation of Indians, petition for adjustment of claims of, ...	209
bill to establish fund for benefit of,	256, 346, 370
bill for protection and improvement of,	416, 425
Cemetery associations, rural. (See Rural, &c.)	
Forest Lawn, in Buffalo. (See Buffalo.)	
Lutheran, in Schoharie. (See Lutheran.)	
Census of the State, resolution requesting J. C. G. Kennedy, Super-	
intendent of United States Census, to send to Senate the, ..	425
reply of Mr. Kennedy, transmitting,	467
resolution to refer to select committee,	467, 480
appointment of committee,	481
report of committee,	522
Chamber of Commerce, act to amend act to remove doubts concern-	
ing corporation of, ...	352, 363, 391, 392, 405, 417, 599, 624
Chamberlain of the city of New York. (See New York.)	
Champlain canal, resolution requesting Canal Board to report	
whether appropriation of 1860 for, is expended, ...	154, 158
reply of,	217
bill to provide for completion of culvert under, in Stillwa-	
ter,	494, 508
Charitable societies, acts to amend acts for formation of, and sale	
of lands of. (See Societies.)	
Chateaugay, town of, act to provide for appointment of commis-	
sioner of deeds in,	224, 292, 407, 418, 420, 505
Chautauqua Central plank road company, act to authorize, to sell	
their road,	385, 432, 441, 442, 463, 501
Chautauqua county, district attorney of, act in relation to,	91, 117
	312, 382, 384, 499
special judge and surrogate of, act to regulate fees of, ...	178
	221, 382, 384, 392, 396, 608
Chenango canal, petitions for extension of, ..	36, 39, 41, 45, 64, 66, 86
	89, 95, 105, 111, 126, 131, 143, 148, 195, 209
bill for extension of,	37, 40, 96, 162, 165, 167, 241, 246
	252, 258
Chenango canal, railroad on berm side of, act to extend time for or-	
ganization of,	437, 471, 483, 485, 491
Chenango county board of supervisors, act in relation to auditing	
accounts by,	164, 176, 362, 363, 375, 395, 499
Children of Jewish persuasion, act to amend act for relief of, ..	168, 170
	362, 363, 376, 499
Children's Home society, act to incorporate, ..	401, 433, 454, 471, 488, 621
Cicero, act in relation to draining certain lands in town of, ...	385, 401
	441, 448, 458, 482, 620

Citizens' Guarantee and Advance association, bill to incorporate,...	467
Citizens' Savings bank in New York. (See New York.)	
Citizens of this State, bill to repeal act more effectually to protect, .	36
Civil actions in which people of the State are parties, act to amend act to facilitate,	84, 116, 263, 265, 267, 362, 364, 370 377, 620
Civil lists, resolution directing Clerk to furnish to Senators, etc.,	63, 85
Clancy, John W., bill to give preference to trial of, vs. James W. White,	183, 221, 244, 300, 305
Claffy, Lawrence, act for relief of. (See Burke, James.)	
Claim bills from Assembly, to refer to select committee,	556, 558
Claim committee, resolution to appoint clerk to,	114, 119
Clark, Philip, appointed page for balance of session,	215, 216
Clergymen of Albany, resolution inviting to open sessions of Senate with prayer,	4
Clerk of Court of Appeals, resolution directing, to report to Senate statement of number of preferred causes under chapter 167 of laws of 1860,	122
reply of,	456
Clerk of Senate, to invite clergymen of Albany, to open sessions of Senate with prayer,	4
to pay postage on documents and papers,	5
not to transmit documents, costing over twenty cents, ...	38
to purchase Revised Statutes for use of President of Sen- ate,	41
to furnish diagrams,	43
to read proclamation of Andrew Jackson,	47, 48
to furnish civil lists,	63, 85
to transmit to Hon. Wm. H. Ferry, resolutions of condol- ence,	63
to furnish pages with stationery,	71
to furnish red books,	85
to transmit resolutions of condolence to Hon. James A. Bell,	100
to furnish additional chairs for reporters,	156
to furnish red books to pages,	201
to have executive papers filed,	614
resolution of thanks to,	626
to transmit confirmation of H. H. Van Dyck, as Bank Su- perintendent,	627
Clerks of board of excise, bill to authorize to take affidavits,	189
of committees, resolution to allow no compensation to un- less appointed by Senate,	49
of counties. (See County clerks.)	
Clinton county, county clerk of, act to make office of, a salaried one, ...	37
74, 83, 109, 112, 113, 132,	281
petition for, from supervisors,	50
town of, petition for division of,	347
bill to divide,	347
Code of Procedure, act to amend the 53d section of, .	36, 40, 56, 65, 71
73, 75, 493,	620
bill to amend section 100,	309
bill to amend,	316
Olough, Percy Ann, petition of, for relief,	208
bill for relief of,	224, 291, 340, 345, 349, 360
Coles or Harlem Bridge, act in relation to, .	33, 145, 167, 268, 324, 345
348, 351, 359, 542, 580	

Columbia county, Agricultural and Horticultural association, act to incorporate,	101, 106, 200, 206, 281
boards of health of, act relating to,	394, 401, 407, 408
poor house, remonstrance against bill authorizing board of supervisors to appoint keeper of,	417, 500
Colvin, Senator, resolution requesting, to preside at joint convention and welcome President elect,	410
address of,	193, 194
College, St. Stephen's, to incorporate. (See St. Stephen's College.)	195
Commissary General, resolution to print report of,	84, 86
Commission to examine claims of soldiers of war of 1812. (See war of 1812.)	
Commissioners of Canal Fund, act authorizing, to invest part of State tax for canal debt sinking fund,	257, 270, 390, 404
of Land Office, resolution requesting, to return papers of Gertrude C. Doe,	413, 500
reply of,	804
of Lunacy, bill to create office of,	39, 50, 228, 300, 305, 306
for loaning certain moneys of the United States, to postpone sale in Steuben county. (See Steuben county.)	312, 318, 320
for loaning certain moneys of the United States in certain counties, bill to release same in certain cases, ..	72, 175, 274
for loaning certain moneys of the United States, bill in relation to certain sales made by,	276, 282, 284
for ascertaining boundary line between New York and Connecticut, report of,	164, 176, 215, 219, 225
resolution to print report of,	242, 264, 265, 267, 347
to Washington, resolution appointing, ..	161, 162
resolution requiring, to take the oath to support the Constitution of the United States,	174, 175, 189
resolution to employ reporter, and transmit report of proceedings to the Legislature,	127, 133, 139, 140, 144
resolution requesting, to report proceedings to Legislature,	157, 161, 166, 179, 190
reports of,	142
report of John A. King and others, in reply to report of D. D. Field,	144, 145
reply of D. D. Field,	258
Committees to wait upon the Governor,	394, 405, 517
to wait upon the Assembly,	517
from Assembly,	558
Committees, standing, appointment of,	4, 627
select, on number and compensation of Legislative officers, etc.,	4, 69, 138, 403, 626
select, on excise laws,	6, 69, 139, 195, 626
select, to examine into abuses of State Prisons,	44
select, on petitions for aid to Albany and Susquehanna railroad,	43, 50, 57, 83, 87, 444
select, on so much of Governor's message as relates to national difficulties,	46, 84, 86
	46
	46
	34, 43, 48, 104

Committees, select, report of,	66
(See Federal relations.)	
select, on resolutions from Virginia,	104
select, on reception of President elect,	166
report of,	189
select, on discriminating tolls,	166
select, of eight to report bills on general orders,	282, 304
	337, 349
select, to inquire into practice of arrest and detention by Metropolitan police,	274, 389
report of,	615
select, to investigate charges against Harbor Masters, ..	289
select, to investigate charges against officers of New York corporation, etc.,	619
select, on Assembly claim bills,	558
select, on apportionment of State into Congressional dis- tricts,	467, 480, 481
Common schools, bill relating to election of trustees of,	42
Companies to navigate lakes and rivers, act to amend act for for- mation of,	293, 333, 341, 357, 390, 454, 502, 533, 624
Compson, Jonas, resolution from Assembly requesting papers of, ..	52
Comptroller, annual report of, resolution to print,	45, 56
resolution that guarantee payment of moneys belonging to United States,	125, 136, 138, 155
to report time of payment of State tax by county treasur- ers,	180
reply of,	210
resolution to print reply of,	261, 434
Concurrent resolutions directing the Governor to tender to Presi- dent of the United States, the services of the militia of the State,	34
for adjournment, .. 38, 41, 43, 50, 188, 198, 208, 210, 479,	493
that joint rules of last session be adopted for government of this session,	41, 63, 102
for joint committee to examine into abuses at State Pris- ons,	46, 114
for appointment of committee to present sword to Major Robert Anderson,	47
to proceed to election of Canal Commissioner,	49, 53
for appointment of joint committee on number and compen- sation of legislative officers and employees,	50, 57
	83, 87, 444
tendering to the President of the United States whatever aid in men and money he may require, to enable him to enforce the laws,	57, 58
for appointment of select committee on Federal relations, ..	52
	60, 64
of select committee on Federal relations, .. 66, 67, 161, 199,	213
	235, 253, 255, 260, 275, 327, 376
to proceed to election of United States Senator,	71, 84, 118
complimentary to Gov. Hicks of Maryland, .. 85, 192, 196,	202
to proceed to the election of Regents of the University, ..	91
	102
to refer resolutions from Legislature of Virginia to select committee on Federal relations,	95, 102, 127, 128
inviting President elect, to pass through this State on his way to Washington,	102, 108

Concurrent resolutions relative to payment of United States Deposit Fund,.....	125, 136, 138, 155
to appoint Commissioners to Washington to meet Commissioners from other States. (See Commissioners.)	
to amend Constitution of the State, so as to prohibit sale of intoxicating liquors as a beverage,....	164, 207, 246, 260
	262, 322, 324, 539
to appoint joint committee on reception of President elect, 166	
that two Houses meet in joint convention to receive the President elect,.....	191, 192
requesting Speneer of the Assembly to preside at joint convention and welcome the President elect,.....	192
relative to treaty between United States and Canada, known as the Reciprocity treaty,...	207, 212, 258, 267, 539
relative to remarks of Hon. Francis Granger, in Peace Convention,.....	213
to amend Constitution relative to bribery at elections, ...	372
directing judiciary committees of Senate and Assembly to inquire into condition of Law Library, in the State Library,.....	381, 390, 462, 618
to print Transactions of New York State Agricultural Society,	475
to print Transactions of American Institute,	475
directing State Engineer and Surveyor to make survey of Seneca river and Jack's Reefs, &c.,	480, 492
requesting Congress to repeal the act for increasing duties on imports, &c.,.....	492
Coney Island and Brooklyn railroad company, act to authorize to lay rails of less weight than required by general railroad law,.....	539, 544, 584
and Bath bridge company. (See Bath.)	
Congressional districts, bill dividing State into,....	522, 534, 552, 558
	560, 562
Connecticut, report of Commissioners to ascertain boundary line between, and New York,	161, 162
resolution to print,	174, 175, 189
Constables, bill in relation to proceedings of, in certain cases,....	224
in Brooklyn. (See Brooklyn.)	
in Danby. (See Ostrander, Jones.)	
in Flushing. (See Flushing.)	
in New York. (See New York.)	
Constitution, petitions to amend, so as to prohibit sale of intoxicating liquors as a beverage,.....	143, 187, 230, 268, 302
concurrent resolutions to amend, so as to prohibit sale of intoxicating liquors as a beverage,..	164, 207, 246, 260, 262
	322, 324, 539
resolution to print report of select committee on,.....	371, 402, 415
concurrent resolutions to amend, relative to bribery and corruption,	372
act to submit question for Convention to revise,.....	436, 443
	451, 473, 533, 534, 555
Constitution of United States, bill to submit question to people of this State, to amend by engrafting proposition of Senator Crittenden on,.....	62, 77, 82, 114
petition for,.....	135, 143, 167
resolutions to amend,.....	378

Convention to revise the Constitution, act to submit question of calling, to people,.....	436, 443, 451, 473, 533, 534, 555
Convicts, bill in relation to attempts of, to escape from State prisons,	118, 144, 149, 156, 627
Cooper Union, report of,	110
Corning, Erastus, appointed Commissioner to Washington,....	127, 133
	139, 140, 142
Corning, village of, act for incorporation of villages, so far as relates to,	386, 392, 423, 426, 446, 501
Corporations, manufacturing, mining and mechanical, acts to amend act for formation of, ..	112, 123, 215, 222, 225, 240, 271, 276
	288, 292, 296, 483, 492, 519, 545, 621
manufacturing, in Herkimer county. (See Herkimer.)	
municipal, bill to facilitate collection of debts against, 49,	221
Cortland county supervisors, petition of, for amendment to law organizing State Lunatic Asylum,	101, 155
act to provide for draining certain lands in,	382
(See Preble.)	
Cortlandt, school district No. 18 in, act to legalize formation of, 192,	310
	315, 324, 326, 620
Corruption and bribery, bill to prevent. (See Bribery.)	
Costs, petition for law compelling plaintiffs in suits to give security for,	131
County clerks, bill in relation to searches for titles in offices of, ...	373
County courts, bill relative to attendance of jurors at, ..	42, 46, 56, 65
	66, 69, 106, 280
County jails, bill relative to offences punishable by imprisonment in,	81, 87
County treasurers, bill in relation to,	102, 123
remonstrances against,	192, 195, 247
resolution that Comptroller report time of payment of State taxes by,	180
reply of,	210
resolution to print,	261, 434
Court of Appeals and Supreme Court, bill to repeal law relative to preferred causes in,	116, 241, 291, 312, 318, 320
to amend act in relation to preferred causes in, ..	241, 291, 394
resolution requesting Clerk of, to report preferred causes in, ...	422
reply of,	456
Court of Common Pleas in New York. (See New York.)	
Courts in first judicial district, bill to facilitate trial of civil actions in,	294, 332
Courts of Oyer and Terminer, act to transfer cases to,	270, 279, 391
	393, 411, 499
Courts in Schoharie county. (See Schoharie.)	
of Sessions, act to transfer certain cases from, to Oyer and Terminer,	270, 279, 391, 393, 411, 499
of Sessions, act relative to attendance of jurors at, 42, 46,	56
	65, 66, 69, 106, 280
Creditors, bill to amend act to secure a just division of estate of debtors who convey to assignees for benefit of, ..	38, 42, 60
	71, 312
Crime, bill declaratory of right of jury in cases of. (See Jury.)	
punishment of, and concerning prisoners confined in State prisons,	73, 92, 116, 193, 200, 205, 206

- Crittenden amendment, bill and petition for submission of. (See Constitution of United States.)
- Croton aqueduct, act to protect from injury during progress of work for improvement of, &c., . . . 372, 433, 441, 444, 464, 482, 620
river, High bridge over. (See High bridge.)
water, act to supply Sing Sing prison with. (See Sing Sing.)
- Cuba, village of, act to amend act making separate road district, . . 293
330, 348, 350, 364, 498

D.

- Dannatt, Wm. H., supervisors Hempstead, to convey lands to. (See Hempstead.)
- Danaville village, to amend act incorporating, 587
- Debt, canal. (See Canal.)
- Debts against municipal corporations. (See Municipal corporations.)
- Debtors, insolvent. (See Insolvent debtors.)
bill to amend act to secure to creditors just division of es-
tates of, 38, 42, 60, 71, 812
poor, bill in relation to imprisonment of, 224
- Declaration of Independence, communication from William Curtis
Noyes, relative to erection of monument commemorative
of, 373
- Deer, bill to amend act for preservation of, 97, 395, 438, 441, 455
463, 481
- Deer Ridge, act to provide for draining. (See Wine creek swamp.)
- Delano, Avery S., resolution relative to papers of, 43
act for appraisal and payment of canal damages to, . . 149, 275
288, 282, 296, 596, 624
- Delaware county board of supervisors, act, relative to auditing ac-
counts by, 164, 176, 362, 363, 375, 395, 499
- Democratic State Convention, invitation to attend meeting, 124
- Department of Finance in New York. (See New York city.)
- Deposit Fund, United States, resolution relative to, . . 125, 136, 138, 155
- Deputies in various departments of State government, bill to estab-
lish uniform rate of compensation to, 183, 192
- Dexter village, petition to amend charter of, 323
- Diagrams, resolution that Clerk furnish, 43
- Dickerson, Skilman D., act for relief of, 77, 81, 149, 214, 230, 225
227, 600, 625
- Dickinson, Wm. G., act authorizing correction of official bond of, . . 46
51, 280
- Discriminating tolls, resolution to refer to select committee ques-
tion of propriety of establishing, 159, 166
- District attorney, Chautauqua county. (See Chautauqua county.)
- District Libraries, petition in relation to, 175
School Libraries, bill to furnish State Map and Gazetteer
to, 164, 172, 256
- Dividends of Fire Insurance companies. (See Insurance companies.)
- Division avenue, at East New York, bill in relation to, 402
fences, bill to amend law relating to, 211, 279, 348, 350
364, 366, 374
- Divorce laws, petition for amendment of, 51
- Divorces, bill in regard to, dissolving the marriage contract, . . 37, 40
60, 97, 168, 174, 180, 181, 182, 183
- Dix, John A., communication from, as Secretary of the Treasury, . . 152
- Documentary evidence, act to amend act in relation to, . . 45, 49, 56, 65
66, 69, 127, 281

Dodge, William E., appointed Commissioner to Washington, ..	127, 132
	139, 142
Doe, Gertrude C., resolution from Assembly, relative to papers of, .	91
resolution requesting Commissioners of Land Office to	
transmit papers of,	304
reply of,	342
Domestic animals, bill to amend Revised Statutes concerning, .	129, 221
Downs, Abel, and Seabury S. Gould, act to amend act for payment of	
canal damages to, 210, 224, 250, 300, 306, 308, 310, 580,	625
Dunn, James, appointed page for balance session,	201
Dutchess county board of supervisors, act relative to auditing ac-	
counts by,	164, 176, 362, 363, 375, 395, 499
jail limits, petition to make city of Poughkeepsie, limits of,	66
act making,	68, 83, 109, 112, 113, 334
jail, act authorizing, to purchase ground for erection of,	
on,	91, 96, 120, 129, 281
poorhouse, act in relation to,	91, 96, 119, 123, 280

E.

Eclectic Association, act to incorporate,	293, 302, 304, 309, 497
Elbridge, petition of citizens of town of, for bridge over Erie canal,	42
report of committee on,	90
village, act to amend acts incorporating, ...	178, 181, 212, 220,
	225, 232, 315, 497
Election districts, bill to divide towns into,	437, 442
inspectors, bill relating to,	42
inspectors, act to authorize to administer oaths to voters, .	172
	221, 277, 288, 292, 296, 608
Elections, bribery at, resolutions to amend Constitution relative to,	372
Ellicott, town of, act to enable commissioners of highways of, to as-	
certain boundaries of highways,	225, 289, 299, 313, 319,
	384, 498
Ellisburgh, town of, act authorizing supervisor of, to borrow money,	387
	432, 442, 457, 620
Elmira and Southport bridge company, act to extend charter of, ...	427
	432, 441, 442, 456, 457, 622
Elmira Umbrella Frame manufacturing company, act in relation to,	248
	257, 381, 382, 395, 500
Engineer corps, communication from Canal Board relative to,	221
act relative to. (See Canals, completion of.)	
Erie canal, bill in relation to, (long locks),	178, 270, 327, 338, 342,
	368, 514
Erie county jail, act to extend limits of, ...	315, 323, 346, 347, 358, 498
Evening sessions, resolutions for,	174, 233, 234, 311, 381
Everson, Sarah D., act for relief of,	474, 516, 556, 563, 574, 623
Excise boards, bill to authorize clerks of, to take affidavits,	189
laws, petitions for amendment of,	45, 400
resolution to refer to select committee,	3, 46, 84
appointment of committee,	86
Executive sessions, resolutions for,	40, 594, 610
message from Governor for,	594
to file away papers relating to,	614
Executors and administrators, bill repealing law giving preference	
to causes of, in Court of Appeals,	42
Executors, bill concerning proof of wills, &c.,	416, 424, 493, 506,
	516, 566
Eye and Ear Infirmary. (See New York Eye and Ear Infirmary.)	

F.

Fairman, Charles G., resolution directing, to arrange and file away papers of executive session,	614
Farmerville Rural cemetery, act to authorize, to remove bodies buried in, and to sell and convey grounds,	436, 442, 483, 532, 621
Farnam, Benjamin F. and Sally J., relief of. (See Gaskell, Benj. F.)	
Fay, G. W., resolution appointing, as clerk of claim committee, ...	114, 119
Federal relations, resolution to refer so much of Governor's message as relates to, to select committee,	34, 43
appointment of committee,	48
report of committee,	66, 67
motions to consider report, &c.,	161, 199, 213, 235, 253, 255, 260, 327, 376
resolution to print report of committee on,	67, 78
concurrent resolution from Assembly, requesting Senate to appoint joint committee on,	52, 60, 64
communication from common council of New York, relative to,	55
Female Academy of Sacred Heart of Albany. (See Albany.)	
Female Academy of Visitation, of Brooklyn. (See Brooklyn.)	
Fences, division, bill to amend law in relation to,	211, 279, 348, 350, 364, 366, 374
Fencing association, bill to incorporate,	373
Ferries, act providing for setting posts for rope ferries, ..	37, 40, 56, 98, 96, 98, 249, 281
Ferry, Hon. Wm. H., resolutions of condolence with,	63
leave to record his vote in favor of resolutions proffering aid to general government,	66
also, for extension of Chenango canal,	258
leave of absence granted to,	344
elected President <i>pro tem.</i> ,	403
resolution of thanks to,	626
address of, on final adjournment,	627
Ferry across Sodus bay. (See Sodus bay.)	
Field, David Dudley, appointed Commissioner to Washington,	127, 133, 139, 142
report of, as minority of Commissioners,	405
communication from, in reply to John A. King and others, ..	558
Fiero, Mr., leave of absence granted to,	345
Fines, recognizances and forfeitures, act in relation to, ...	336, 341, 351, 357, 539
Fire arms and munitions of war, bill to regulate sale of,	55
Fire Insurance companies. (See Insurance.)	
Fish, bill to amend law for preservation of,	97, 395, 438, 441, 455, 463, 481
in Canandaigua lake, act for preservation of. (See Canandaigua lake.)	
in Oneida lake. (See Oneida lake.)	
in Post bay. (See Post bay.)	
in Sodus bay. (See Sodus bay.)	
in St. Lawrence river. (See St. Lawrence river.)	
Fishkill, school district No. 18 in, act in relation to, ..	538, 543, 569, 623
Flushing, constables in town of, bill increasing number of,	282
Fair Ground company, bill to incorporate, ...	97, 155, 216, 228, 239, 243

Flushing and Jamaica highway in. (See Jamaica.)	
and New York railroad company, amend charter of. (See New York.)	
railroad company, bill supplementary to charter of,...	108, 148
town hall, act to provide for erection of,....	179, 181, 238, 239
	315, 497
village of, act authorizing trustees of, to convey lands for town hall,	447, 580, 625
Fonda, Jacob, act for relief of,	494, 508, 556, 563, 571
Fordham railroad. (See Third avenue and,)	
Foreign Insurance companies, act requiring, to make and file annual statement of affairs,	435, 444, 454, 502, 558, 565
Foreign municipal corporations, bill to facilitate collection of debts against,	49, 221
Forest Lawn Cemetery of Buffalo. (See Buffalo.)	
Forestville, act in relation to construction of sidewalks in village of,	401
	484, 494, 507, 554, 623
Fortifications, act ceding jurisdiction to United States of land for sites for,	402, 418, 482, 486, 509, 532, 559
Fredericks, George, act for relief of,	538, 575, 576, 582, 590
Friends' society, memorial of, against death penalty,	191
Frolelick, Philippina Wilhelmina Frederica, bill to change name of,	274
Frontier, bill to erect town of,	347
Fugitives from justice, bill in relation to defraying expenses of, ...	200
Fugitive Slave Law, resolution relative to,	35
Fulton county board of supervisors, act in relation to auditing accounts by,	164, 176, 362, 363, 375, 395, 499
highways in, act to repeal section 8, of chapter 178, Laws of 1843, in relation to,	315, 324, 381, 383, 397, 499
Fulton and Hamilton counties, petition of inhabitants of, to borrow money for highway purposes,	175
act making certain portions of, a road district, ..	178, 200, 233
	237, 239, 387, 427, 500

G.

Gamble, William, appointed assistant postmaster,	51
Gambling, bill for more effectual suppression of,	162, 221
Game in Suffolk and Queens counties. (See Suffolk.)	
Gardiner, Addison, appointed Commissioner to Washington, ...	127, 133
	139, 140, 142, 157
Garlinghouse, Chas. A., appointed Clerk's and Bank messenger, ...	51
Garlinghouse, Joseph, appointed janitor,	51
Gaskell, Benj. F., and others, petition for canal damages,	167
act for relief of,	240, 278, 288, 292, 298, 599, 625
Gaskell, Olive, relief of. (See Gaskell, B. F.)	
Geddes, act authorizing construction of railroad in, ..	387, 392, 486, 502
	526, 559, 622
General orders, resolutions for sessions to consider, ..	174, 233, 258, 336
	369, 482
resolution for committee of three to arrange and classify, ..	312
Gonesssee County bank, act to reduce capital stock of,	394, 425, 441
	444, 458, 501
Genesee Valley canal, bill to authorize construction of bridge over, ..	
in Rochester,	437, 508, 575, 583, 586
George, Samuel, an Onondaga chief, petition of,	247, 323

German hospital, in New York, act to incorporate, . . .	145, 170, 287, 239
	248, 251, 526, 545, 622
Gibson, Lyman, petition of, for relief,	105
act for relief of,	196, 275, 288, 292, 297, 596
Gihon, John, bill for appointment of Commissioners to examine claim of,	92, 203
resolution relative to papers of,	92
petition of (John Guion),	76
Gilboa and Jefferson turnpike company, petition to amend charter of,	90, 107
Gilboa and Potter's Hollow turnpike company, petition to authorize application highway labor on,	72
act to provide for application highway labor on,	74, 80, 109
	119, 123, 427, 500
Glen's Falls feeder, resolution requesting Canal Board to report whether appropriation for, of 1860, has been expended, .	154
	158
reply of,	217
Glen's Falls village, bill to amend charter of,	168, 171, 174
remonstrance against,	170
Goodwin, Henry C., act for relief of estate of,	188, 193, 197, 281
Goodwin, Nathaniel, appointed superintendent of Senate chamber, .	51
Gorham cemetery, act to authorize trustees of, to include in their original plot, the old burying ground,	385, 401, 406, 408
	417, 500, 622
Goss, Hon. Ephraim, elected President <i>pro tem.</i> ,	154
Goss, Geo. A., appointed clerk of the committee on internal affairs of towns and counties,	119
Gould, Seabury S., relief of. (See Downs, Abell.)	
Goulding, Loren, act to legalize official acts of, as superintendent Oswego county poor,	163, 176, 278, 280, 294
Government, act to provide means for support of,	474, 484, 565, 622
act making appropriations for support. (See Appropriations.)	
Government of United States, act to aid in obtaining loan of money upon its bonds,	155, 164, 165, 167, 168, 182, 281
Governments and laws, bill to provide for more general diffusion of knowledge of,	331
Governor, annual message of,	6
annual message of, resolution to print,	33, 71, 78
annual message of, to refer so much of as relates to national difficulties to select committee,	34, 43, 48
appointment of committee,	48
report of committee,	66
resolutions directing, to tender to President of United States, the militia force of the State,	34
message from, transmitting report of pardons,	39
annual message of, resolution to refer certain portions of to various committees,	53
concurrent resolution directing Governor to tender to President of United States whatever aid in men and money he may require to enforce the laws, and to forward copies of resolution to President,	57, 58
message from, transmitting communication from President of United States,	75
annual message of, made special order,	84, 99, 124, 153, 169
	180, 198, 235, 236, 261, 275, 328, 377

Governor, concurrent resolution direct'g, to transmit complimentary resolutions to Gov. Hicks, of Maryland,.....	85
message from, transmitting resolutions of General Assembly of Ohio,	85
message from, transmitting resolutions from General Assembly of Virginia,.....	94
resolution directing, to request, President Lincoln to pass through Albany on his way to Washington,.....	102,
message from, transmitting report of Cooper Union,	110
message from, transmitting resolutions of several States, ..	125
message from, transmitting resolutions from Legislatures of Maine and New Jersey, ...	130
message from, transmitting resolutions from Legislatures of Minnesota and Kentucky,.....	138
message from, transmitting resolutions from Legislature of North Carolina,	152
message from, transmitting resolutions from the Legislatures of Michigan and Louisiana,.....	187
message from, transmitting resolutions from the Legislatures of Illinois and Texas,	214
resolution that Governor appoint Peace Commissioners to Washington,	142
message from, transmitting communication from John A. Dix, Secretary of Treasury of United States,	152
message from, transmitting resolutions from Legislature of Indiana,	157
resolution requesting, to answer certain questions relative to Harbor Masters and Port Wardens,.....	160
message from, transmitting answer from President elect, to invitation of Legislature,	165
message from, transmitting communication from Thurlow Weed,	165
annual message of, resolution to refer so much of, as relates to New York, to the Senators from New York,...	244
message from relating to Kansas,	251
message from, transmitting resolutions to amend Constitution of United States,	378
message from, transmitting resolutions of Legislatures of Wisconsin and Indiana,.....	379
messages from, of bills signed,.....	280, 497, 620
message from, vetoing bill to facilitate construction of Albany and Susquehanna railroad,	495, 525
Granby, commissioners of highways and town auditors of, act to confirm and legalize proceedings of, ..	587, 547, 553, 596, 601
Granger, Hon. Francis, appointed Commissioner to Washington, ..	167
resolutions relative to,	179, 190
Grant, Mr., leave of absence granted to,	213
Grant, Mr., leave of absence granted to,	361
Great Island turnpike company, act to amend act incorporating, ..	597
605, 606, 607, 612, 625	
Great Western Insurance company, petition for amendment of charter of,	66
act to amend charter of,	270, 314, 381, 382, 398, 499
Green, Benj. F., bill for relief of,	38
Greene county, excise money of, act to authorize and empower board of supervisors to apportion among several towns,....	438, 445
505, 621	

Greene county, supervisors of, petition of, in relation to election and other notices,	81
Greenburgh, act to amend act to elect overseers of highways in town of,	270, 277, 339, 340, 356, 498
Griffin, Wm., petition of, for power to trustees of Methodist church of Plattsburgh to convey real estate,	323
act authorizing, to convey by deed his house and lot to Methodist Episcopal church of Plattsburgh, ...	325, 331, 351, 355, 580, 625
Griswold, Horatio, and others, petition of, for bridge over Erie canal in town of Elbridge,	42, 90
Grosvenor library of Buffalo, act to amend act in relation to, ..	230, 251, 424, 426, 438, 445, 493, 620
Grover, Martin, resolution to appoint as Peace Commissioner to Washington,	141
Guarantee association, bill to incorporate,	467

H.

Hadley, bill authorizing appropriation to build bridge across Sacandaga river at,	223
Hall, A. Oakey, and others, petition of, for more general diffusion of text books relating to government and laws,	330
Hamilton county, road from Jones Ordway's to Carthage. (See Carthage.)	
Hamilton, Herkimer and Fulton counties, act to repeal section 8, chapter 178, Laws of 1843, in relation to highways in, ..	315, 324, 381, 383, 397, 499
Hamilton square, in New York, resolution asking the Comptroller of New York city to inform the Senate if any claims have been made by private individuals to property of said square,	425
reply of,	462
Hamilton Union Free school, act relative to,	523, 543, 545, 548, 569, 625
Hamlin, act to change name of town of Union to, 91, 106, 222, 231, 281	
Hammondsport and Pleasant Valley Wine company, bill for relief of,	97, 106, 193, 196, 197, 342, 351, 373
Hannibal, village of, act to constitute separate road district, ..	230, 249, 289, 290, 303, 309, 384, 498
Harbor Masters, resolutions asking Governor to answer certain questions as to,	160
resolution for appointment of select committee to investigate charges against,	161, 180, 259
appointment of committee,	289
leave of absence granted to committee,	361
report of committee,	509, 577
resolution that committee continue investigations, ..	509, 577
Harmony Fire and Marine Insurance company, bill to enable to amend their charter,	524
Harlem bridge, at termination of Third avenue. (See Coles or.)	
Harlem railroad, petitions for reduction of milk freights on. (See New York and.)	
Harlem river, bills for improvement of,	118, 410
Harris, Hon. Ira, elected United States Senator,	137, 139
Hawkers and pedlars, bill in relation to,	241
Health, boards of, in Columbia county. (See Columbia county.)	

Health, board of, in Niagara county. (See Niagara county.)	
insurance companies, bill to amend act incorporating, and in relation to agencies of,	444
Metropolitan police district, bill relating to,	107, 118
of New York and Brooklyn, bill to promote,	241, 292
in New York, Kings and Richmond, bill concerning,	524, 543
	544, 605, 606, 613, 614
Hebrew Reform and Benevolent society, bill to amend charter of, ..	162
	177, 338
Hempstead, town of, act to authorize supervisor of, to convey lands to Wm. H. Dannat,	394, 401, 441, 443, 459, 620
village of, act to repeal section 3d of an act in relation to, ..	316
	371, 423, 426, 430, 500
Herkimer county, manufacturing corporations, act to amend act to facilitate dissolution of,	188, 210, 227, 281
county poor, act in relation to support of, ..	126, 149, 162, 196
	201, 220, 225, 231, 281
remonstrances against,	135, 148, 195
county, records and filed deeds, act authorizing, to be transcribed for Jefferson county,	186, 177, 331, 338, 352
	540, 580, 622
petition for,	170
Hicks, Gov., of Maryland, concurrent resolutions complimentary to, ..	85
	192, 196, 202
High bridge over Croton river, in Westchester county, bill in relation to,	42, 67, 75, 77, 79
Highland county, bill to erect, from parts of Orange county,	597
Highway labor on lands of non-residents, bill amendatory of act in relation to,	388, 437
Highways in Ellicott. (See Ellicott.)	
in Granby. (See Granby.)	
in Greenburg. (See Greenburg.)	
in Hamilton, Herkimer and Fulton counties.) (See Hamilton.)	
in Phillipstown. (See Phillipstown.)	
between Wilmurt and Morehouse. (See Wilmurt.)	
Highways, act to amend Revised Statutes in respect to, ..	164, 177, 218
	222, 225, 231, 581, 613
Hildreth, John T., petition of, for act to restrain sale of impure milk, ..	86
	250
History, literature and art of America, petition for law for collecting and publishing materials belonging to,	432
Hobart college, act to fix corporate name of, and to confirm acts of trustees of,	192, 196, 237, 300, 306, 308, 310, 497
Holidays, bill to amend act designating,	97, 107, 116, 301, 303, 318
	319, 324, 331, 353, 525
petition for,	111
Hoosick, act authorizing town of, to raise money to build bridge, ..	202
	203, 218, 497
Hoosick Baptist church, act for confirmation of title of, ...	385, 401, 407
	409, 418, 500
Hornellsville, village of, act authorizing trustees of, to permit erection of gas works,	117, 171, 404, 412, 500
Horse Show association. (See National, &c.)	
Horticultural societies, act to amend act to facilitate,	257, 308, 391
	393, 410, 499
Hospital, New York. (See New York city.)	

Houck, Jacob, Peter and Catharine, act for relief, . . .	132, 170, 329, 335
	498
Hoyt, E. F., petition of, for relief,	208
act for relief of,	224, 291, 348, 371, 390, 399
Hudson city charter, act to amend and consolidate, . . .	81, 84, 171, 237
	240, 248, 253, 525, 622
petition for,	80
city common council, act to authorize to assess moneys for construction of sewer,	82, 155, 217, 218, 225, 226
	402, 500
petition for,	80, 181
remonstrance against,	111
city, land under water in South bay, act to amend act to release and confirm title to, . . .	394, 407, 423, 424, 465, 621
River railroad, resolution requiring President of, to report amount received at each station for passengers and freight,	63
West Shore railroad, act to extend to Nyack and Warren, . .	505
	507, 512, 527, 559
Hughes, S. Marvin, estate of. (See Billingham, H. C.)	
Hunt, Horace, and Andrew Kingsley, petition of, for relief, . . .	86, 105
Huntington school district number 21, act authorizing trustees of, to raise money by tax,	435, 444, 459, 506
Husband and wife, bill to amend and explain act concerning the rights of, &c.,	49, 52, 117, 314, 318, 321
I.	
Idiot asylum, bill to re-organize, and for government of, . .	87, 102, 135
	407, 408, 419, 421
act to allow trustees of, to purchase additional land, . .	87, 118
	239, 337, 344, 348, 351, 359, 361, 596, 624
resolution to print report of,	164, 167
Illinois, resolutions of Legislature of,	214
Imports, concurrent resolution requesting Congress to repeal duty on,	492
Imprisoned debtors, bill for relief of,	224
Incest, bill to amend Revised Statutes relative to, . .	286, 331, 382, 384
	392, 421
Incorporated companies, assessment of, petition for law amending, .	202
Indiana, resolutions of Legislature of,	157, 379
Indians, Cayuga, petition and bill for adjustment of claims of. (See Cayuga.)	
Onondaga tribe of. (See Onondaga.)	
Seneca nation of. (See Seneca.)	
Stockbridge tribe of, petition for aid. (See Stockbridge.)	
St. Regis tribe of. (See St. Regis.)	
Indians, bill for promotion of agriculture and civilization among, . .	352
	424, 471, 472, 486, 490
Inebriate asylum, act for relief of, . . 49, 149, 213, 236, 262, 263, 267, 314	
	321, 498
Inland Navigation Insurance companies, act in relation to, . . .	342, 388
	396, 410, 499
Insane convicts, act for removal of, from Utica Insane asylum, to Auburn Insane asylum,	62, 72, 80, 93, 96, 99, 290, 498
Insane convicts, asylum for, annual report of,	52
Insolvent debtors, bill for relief of,	36
bill relating to executions, processes, etc., against,	250

- Insolvent debtors, bill to amend Revised Statutes relative to voluntary assignments by,..... 250, 279, 333, 354, 351, 581
 Insolvent Mutual Insurance companies, act in relation to actions now pending and hereafter to be brought against receivers of,..... 537, 548, 588, 596, 601
 Inspectors of election, bill relating to, 42
 act to authorize, to administer oaths in regard to qualification of voters,..... 172, 221, 277, 288, 292, 296, 608
 Inspectors of State Prisons. (See State prisons.)
 Insurance company, Harmony. (See Harmony.)
 Great Western. (See Great Western.)
 New York Life. (See New York Life.)
 Ripley. (See Ripley.)
 Insurance companies, fire, bill to amend act for incorporation of,... 108
 121, 136
 fire, bill to regulate dividends of, etc., 241, 279, 361, 363
 371, 376
 Foreign. (See Foreign.)
 Life and Health. (See Life.)
 Mutual, remonstrance against passage of bill requiring premium notes of, to be surrendered to makers,..... 370
 Mutual, remonstrance against law limiting costs on notes given to,..... 423
 Town, act to amend act to authorize formation of,.... 126, 344
 349, 360, 367, 395, 499
 bill to amend chapter 466 of Laws of 1853, for incorporation of, 374
 Insurance department, act to amend act to establish, and to authorize companies to change date of termination of their fiscal year, 121, 177, 266, 267, 269, 272, 493
 annual report of, resolution to print,..... 93, 107, 123
 Intemperance, bills to amend act to suppress, and to regulate sale of intoxicating liquors,.... 156, 163, 241, 336, 341, 346, 351
 364, 365, 369, 481, 581
 Interest on canal debt. (See Canal debt.)
 Interest on canal drafts and awards. (See Canal drafts.)
 Intoxicating liquors, petitions to amend Constitution so as to prohibit sale of. (See Constitution.)
 bill to regulate sale of, 156, 162
 bill to amend chapter 268, Laws of 1857, in relation to sale of,..... 294, 323, 391, 393, 405, 411, 490
 Ithaca Free schools, act to establish,..... 257, 301, 302, 309, 498
 village, act to amend act to revise and consolidate laws in relation to, 394, 415, 423, 425, 439, 500

 J.
 Jackson, Andrew, Clerk to read proclamation of,..... 47, 48
 Jacks Reefs, resolution directing State Engineer to make survey of, &c.,..... 480, 492
 Jacobs, John C., resolution directing Clerk to furnish reporter's chair for, 156
 Jail in Dutchess county. (See Dutchess county.)
 in Erie county. (See Erie county.)
 Jailers, bill in relation to proceedings of, in certain cases, 224
 Jamaica and Flushing, act authorizing laying out public highways in,..... 73, 77, 91, 110, 112, 113, 290, 497

James, Amaziah B., appointed Commissioner to Washington,...	127, 133
	139, 142
report of, in reply to D. D. Field,.....	517
Jamestown, village of, act to enlarge powers of trustees of,...	462, 484
	494, 506, 553, 622
Jefferson county, board of supervisors, bill authorizing to raise money for Watertown Home for Orphan and Destitute children,	97, 121, 131, 314, 317, 318
board of supervisors, act in relation to auditing accounts by,.....	164, 176, 362, 363, 375, 395, 499
board of supervisors, act in relation to doings of, relative court house in Watertown,.....	200, 219, 287, 289, 314
	580, 622
petition for,	209
records and filed deeds, act to authorize transcribing of, in Oneida and Herkimer counties, for,...	186, 177, 331, 338, 352
	540, 580, 622
petition for,	170
Jefferson turnpike. (See Gilboa and)	
Jewish persuasion, act to amend act for relief of poor children of,...	168
	170, 362, 363, 376, 499
Jock's lake, act to lay out road from State pond to,.....	523, 543, 545
	547, 568, 624
John street M. E. church, in New York. (See New York.)	
Johnsburgh, town of, petition for repayment of taxes in,.....	170, 290
act to lay out and construct road in, from Jones Ordway's to Carthage,.....	436, 437, 473, 598, 603, 615, 616, 627
Johnston, John and James, bill for relief of,	597
Joint convention to welcome President elect,	191, 192, 193, 194
Joint resolutions. (See Concurrent resolutions.)	
Joint rules of last session to be in force until otherwise ordered, ..	41
	63, 102
Joint rules, resolution to suspend 19th,	350, 378
Jones Ordway's, act to lay out and construct road from, to Carthage road,.....	436, 437, 473, 598, 603, 615, 616, 627
Jordan, village of, act to amend act incorporating,...	97, 171, 212, 220
	224, 226, 395, 499
report of canal committee on petition to build bridge across Erie canal at,.....	90
Journal Clerk of the Senate, bill to provide additional compensation for,.....	610
Journal of Senate amended,	195
Judges of 8th judicial district, bill in relation to,.....	178
of 1st judicial district, bill in relation to,.....	38
Judiciary, bill in relation to,.....	373
Judicial districts, bill in relation to 8th and 1st,	38, 178
Jurisdiction over lands to United States for various purposes. (See United States.)	
Jurors in justices' courts, bill in relation to fees of, and of witnesses,	42
petit, attendance of, at county courts and courts of sessions. (See County courts.)	
Jury, act to amend Revised Statutes in relation to trials by,...	395, 407
	502, 506, 567, 623
bill declaratory of right of, in trials of cases of crime,...	38, 40
	45, 54, 56, 57, 463

Justices' courts, bill in relation to fees of jurors and witnesses in, ..	42
Justices of the peace, fees of, act to amend law fixing, ..	36, 40, 56, 65
	66, 69, 127, 281
bill increasing jurisdiction of,	36
courts of, act to amend 53d section of Code of Procedure, entitled "Of courts of justices of the peace,"	40, 56, 65
	71, 73, 75, 493, 620
bill in relation to proceedings of, in certain cases,	224
Juvenile asylum, of New York. (See New York.)	
Juvenile delinquents, report of society of,	217
delinquents in Western House of Refuge. (See Western House of Refuge.)	
Reformatory asylums, bill to authorize incorporation of, ..	474
	516

K.

Kane, Thomas, bill for relief of. (See Savage, James.)	
Kansas, act for relief of suffering people of,	182, 185, 281
memorial of the Legislative Assembly of,	251
Kelsey, Roswell, petition and act for relief of. (See Pierce, Horace.)	
Kennedy, John A., resolution relative to police being employed be- yond limits of the State,	273, 286
Kennedy, J. C. G., Superintendent of United States census, resolu- tion requesting, to send census of this State,	425
reply of,	467
Kentucky, resolutions from Legislature of,	138
Kerrigan, Ann, act for relief of. (See Murphy, Maria.)	
Kerrigan, Francis, relief of. (See Murphy, Maria.)	
Kill road, in Sing Sing. (See Sing Sing.)	
Kimball, John B., petition of, to confirm acts of, as justice of the peace,	230
bill to confirm acts of,	332, 382, 383, 398, 597
Kinderhook, village of, act to amend act to incorporate, ..	401, 425, 441
	443, 477, 620
King, Albert H., act for relief of,	385, 507, 556, 562, 572
King, John A., appointed Peace Commissioner to Washington, ...	142
	144
reply from, to communication of D. D. Field,	517
Kings county, Paca avenue in, petitions for act amending law open- ing,	90, 236, 269
bill to amend act to provide for opening,	269
Parade ground, petition to lay out,	266, 291
Parade ground, bill to lay out and establish,	291, 407
public health in, bill concerning,	524, 533, 544, 605, 606
	613, 614.
Kingsley, Andrew, petition of. (See Hunt, Horace.)	
Kingston, village of, act to amend and consolidate acts in relation to,	386, 392, 423, 433, 440, 451, 620
Knickerbocker Life Insurance company, bill to amend charter of, ..	386

L.

Laborers' and Domestics' savings bank, bill to incorporate,	52
Lake Ontario, Auburn and New York railroad company, act to con- tinue corporate existence and powers of,	427, 472, 482
	485, 526, 622
Lake Ontario and Hudson River railroad, act to amend act to facili- tate construction of,	271, 278, 313, 314, 321, 497

Lakes and rivers, act to amend act for incorporation of companies to navigate,.....	293, 333, 341, 357, 390, 454, 502, 533, 624
Land Commissioners. (See Commissioners, Land Office.)	
Land under water, bill to amend Revised Statutes relative to grants of,.....	55, 61, 103, 109, 120, 125, 289
Lands in New York city, bill to repeal act authorizing sale of. (See New York city.)	
Lapham, Hon. Nathan, resolution to elect, President <i>pro tem</i> ,.....	308
resolution of thanks to,	626
Larceny, bill defining offences of, and for punishment thereof,	364
Lard, bill in relation to sale of,	436, 443
Law calendars of Schoharie county, petition for printing of,	105
Law library, resolution directing judiciary committee to examine and inquire into condition of,	381, 390, 462, 618
Laws of 1840, chapter 375, bill to repeal,	36
1847, chapter 342, act to amend. (See New York, public officers in.)	
1851, chapter 506, section 1, act to amend, .	325, 332, 339, 402
405, 409, 417, 439, 450, 545, 621	
1857, chapter 701, act to amend section 1st of, .	83, 87, 96, 110
112, 113, 188, 281	
1857, chapter 606, act to amend, .	106, 111, 263, 265, 270, 497
1858, chapter 141, petition for amendment of,	302
1860, chapter 516, bill to amend,	37
1860, chapter 414, bill to amend,	38
1860, chapter 167, bill to repeal,	46, 116
1860, chapter 466, bill to repeal,	250, 292
Lawyers' fees, petition for law reducing,	391
Leavenworth, Hon. Elias W., elected Regent of the University, 137, 140	
Lebanon Springs railroad, petitions for aid to, .	230, 239, 247, 256, 268
Legal notices, bill to repeal law relating to publication of, .	178, 221
Legislative officers and employees, resolution relative to, 43, 48, 50, 57	
83, 87, 444	
bill relative to,	444, 473
Legislatures of several States, resolutions from,	125
Lenox Union Free school, of district number 9, act for relief of, .	386
387, 391, 395, 411, 500	
Leslie, Henry C., appointed page for balance of session,	215
Lewis county supervisors, act authorizing, to raise \$2,500 by tax on town of Lowville,	342, 347, 364, 365, 505, 620
Libraries, School district. (See District libraries.)	
Life Insurance companies, bill to amend act to provide for incorporation of, and in relation to agencies of,	444
Light houses, act to cede jurisdiction to United States over lands for sites for,	294, 309, 316, 343, 349, 357, 532, 559
Lincoln, Hon. Abraham, President elect, concurrent resolution requesting Governor to invite him to pass through Albany on his way to Washington,	102, 108
reply of, to Governor,	165
appointment of committee to make arrangement for reception of,	166
report of committee,	189
concurrent resolution, that two Houses meet in joint convention to receive,	191, 192
resolution that Speaker of Assembly preside at joint convention and welcome,	192, 193

Lincoln, Hon. Abraham, President elect, resolution that Senator Col-	
vin preside and welcome,	193
reception of,	195
Liquors, to regulate sale of, &c. (See Intemperance.)	
Livingston county, board of supervisors of, act relative to auditing	
accounts by,	164, 176, 362, 363, 375
	395, 499
county courts, bill to repeal law restoring crier of,	189
county superintendent of the poor, act to make keeper of	
poor house of said county,	293, 302, 362, 363, 375, 498
county, act to prohibit cattle from running at large in, 71, 78	
	74, 604, 608
Livingston papers of correspondence, resolution to purchase,	125
Loan Commissioners. (See Commissioners for loaning, &c.)	
Loan to United States government, act to aid,	155, 164, 165, 167
	168, 182, 281
Loaners' association, act to incorporate,	435, 455, 471, 487, 621
Locks, long. (See Canal, Erie, Oswego, &c.)	
Long Island railroad company, resolution requiring, to report names	
of stockholders, &c.,	179
memorial from,	230
resolution rescinding the resolution requiring, to report	
names of stockholders, &c.,	234
resolution referring papers of, to railroad committee,	234
Long Island railroad company, act to amend charter of, ..	241, 341, 350
	371, 374, 382, 392, 399, 404, 412, 525, 539, 580, 624
Long Island steamboat company, act to amend act incorporating, ..	148
	171, 200, 201, 222, 225, 242, 542, 580
Long locks. (See Canal, Erie, &c.)	
Loomis, Henry, appointed clerk of committee on literature,	108
Louisiana, copy of ordinance of secession from State of,	187
Lowville, town of, act authorizing tax on, of \$2,500,	342, 347, 364
	365, 505, 620
Lunacy, Commissioner of. (See Commissioner.)	
Lunatic asylum. (See State Lunatic.)	
Lutheran cemetery in Schoharie county, act relating to, .	271, 280, 308
	384, 498
Lyon manufacturing company, petition of, for permission to issue	
policies of insurance,	362
Lysander, bridge over State drain in, bill to authorize construction	
of,	385, 393, 575, 583, 598
M.	
Macedon, village of, act to amend charter,	523, 609, 616
Madison University, petitions for relief of,	55, 209
bill for relief of,	209, 299, 304, 339, 404, 431, 461, 463
	488, 524
Maine, resolutions of Legislature,	130
Malone, village of, act conferring additional powers upon, ...	172, 178
	181, 267, 269, 282, 283, 545, 623
Manierre, Mr., leave to record his vote in favor of act to arm and	
equip militia,	154
Manlius, village of, act to amend act to incorporate,	435, 484, 494
	507, 554, 623
act to incorporate Smith Hall association. (See Smith	
Hall.)	

Manufacturing corporations, acts to amend act for formation of,...	112
123, 216, 219, 222, 225, 227, 240, 271, 276, 288, 292, 296,	483
492, 519, 545,	621
in Herkimer county. (See Herkimer.)	
Map and Gazetteer in school districts. (See State map.)	
Marble, Nathan, act authorizing appraisal and payment of canal damages to,.....	538, 548, 556, 563; 572, 624
Marine Court, in the city of New York. (See New York city.)	
Marine Hospital physician, bill to abolish office of,.....	92
report of,	156
resolution to print report of,.....	174, 176
Market Savings bank of Troy, act to incorporate, ...	437, 485, 494, 507
518, 559,	622
Marriage contracts, in regard to divorces dissolving. (See Divorces.)	
Marriages, book of, resolution instructing printing committee if G. J. Tucker had authority by law to publish,	299
Marriages, unlawful, and incest, bill to amend Revised Statutes relative to,.....	286, 331, 382, 384, 392, 421
Masonville, village of, act in relation to sidewalks in,....	126, 204, 329
335,	498
Masters' Lodge No. 5, of Albany, act to enable to hold and convey real estate,	372, 407, 424, 446, 501
Mazeppa Fire Engine company, of Nyack, act to incorporate, .	106, 171
382, 388, 396,	499
McClure, Ann Jane, bill to enable, to hold and convey real estate, .	189
221, 274, 277, 282,	284
McCue, James J., S. Schermerhorn and D. D. Campbell, bill for relief of,.....	223, 246, 287, 289, 292, 298
McFarlin, Francis M., petition of, for relief,.....	247
act for relief of,	291, 390, 404, 409, 430
McMurray, Oscar, resolution to continue as page to balance of session,.....	215, 216
McNair, Hugh and Hugh T., act to amend act authorizing appraisal and payment of canal damages to,.....	597, 607, 609, 617
Mechanics and material men of New York, bill in relation to liens filed by,.....	410, 434
Medical Society of the State, resolution to print transactions of,	199, 205
Messengers of Senate, appointment of,	51
Methodist Episcopal church, of John street, New York. (See New York, John street.)	
of Plattsburgh. (See Plattsburgh.)	
Metropolitan Cab company, bill to incorporate,..	168, 250, 290, 403, 404
424, 433, 446,	450
Metropolitan Fair Ground company, of Westfield, act to incorporate,	538
544, 582,	623
Metropolitan Police commissioners, resolution to print report of,...	114
120	
bill to reduce salaries of,.....	72
resolution requiring, to report names of all policemen employed in other States,.....	273, 274, 286
reply of,	404
resolution to adjudge, guilty of contempt for not answering resolution of Senate,	389
Metropolitan Police district, bill relating to public health of, ..	107, 121

Metropolitan Police force, resolution to appoint select committee to inquire into manner of arrest and detention of prisoners by members of,	274, 339
report of committee,	615
Michigan, resolutions from Legislature of State of,	187
Middleport, village of, petition of citizens of, for law to enable to hold special meeting,	223
act to provide for holding special meeting in, ...	223, 230, 239
	244, 545, 621
Military association, New York State, invitation from, to attend annual session of,	70
Military forces of the State, bill for more perfect organization of, 62, resolution directing Governor to tender to President of United States,	84
resolution directing committee on militia to inquire into condition of military forces of the State,	59
report of committee,	73
Militia, bill to promote and encourage efficiency of officers in, by limiting tenure of office,	37, 50, 247, 339, 345, 349, 361
	364, 398, 597
petitions for,	83, 86, 90, 95, 96, 105, 111, 135, 143, 155
remonstrance against,	51
act to furnish arms and equipments for, 50, 77, 87, 103, 110, 115, 119, 128, 143, 146, 147, 149, 154, 277	
forces, resolution directing committee on militia and public defence to inquire into condition, efficiency of, &c.,	59
report of committee on,	73
bill appropriating \$500,000 to arm and equip,	73
of war of 1812, act to abolish commission in reference to claims of soldiers of,	385, 433, 474, 485, 490, 514, 519
	548, 581, 623
volunteer, act to authorize equipping, and to provide for the public defence,	607, 608
Milk, petition of J. T. Hildreth for law to restrain sale of impure and adulterated,	86, 250
bill to prevent adulteration of,	250, 382, 408, 419
bill to prevent sale of impure, adulterated, or swill, ..	494, 508
	515, 521, 544
freight on New York and Harlem railroad. (See New York and Harlem.)	
Milliken, Walter R., act for appraisal and payment of canal damages to,	436, 507, 556, 563, 574, 623
Mills, John T., petition of, to use rail cars from Weehawken ferry, .	191
	221
Ministers of gospel, petition for law to exempt from taxation,	95
Mink, petition for law prohibiting taking of, at certain times,	256
Minnesota, resolutions of Legislature of,	138
Missionary associations, amend acts for incorporation of, and sale of real estate of. (See Benevolent, &c.)	
Mohawk, village of, act to amend act to incorporate,	597, 602
Monroe County Agricultural society, act to enable, to dispose of its property,	524, 575
county board of supervisors, bill relative to presentation and auditing accounts by,	81, 176, 238, 240, 248, 254
county board of supervisors, act in relation to auditing accounts by,	164, 176, 362, 363, 375, 395, 499

Monroe county clerk's office, petitions to make salaried office of, . . .	223
bill to confer upon supervisors, certain powers relative to,	247
County Savings institution, act to amend act to incorporate,	426, 455, 471, 487, 620
Montezuma Salt Springs, report of Commissioners,	144
Monticello, village of, bill to enlarge boundaries of,	62, 74, 171, 237
	240, 248, 254
Moose, bill to amend act for preservation of,	97, 895, 438, 441, 455
	463, 466, 481
Morehouse, act in relation to highway between, and Wilmurt. (See Wilmurt.)	
Morrisania School district number 1, act authorizing board of education of, to borrow money to build schoolhouse,	435, 444
	488, 502, 556, 625
Mount Vernon Savings bank, act to incorporate,	524, 548, 553
	564, 589.
Mullen, Joseph, to appoint Peace Commissioner to Washington, . . .	141
Municipal corporations, bill to facilitate collection of debts against foreign,	49, 221
Munroe, Mr., leave of absence granted to,	361
leave to record his vote in negative in passing over Governor's veto, bill to facilitate construction of Albany and Susquehanna railroad,	536
Murder and arson, bill in relation to cases of, occurring previous to 4th March, 1860,	333, 341, 346, 351, 356, 366, 545
bill to repeal act for certain punishment of,	36, 39
	341, 366, 372, 479, 535
bill providing for punishment of, in first degree,	341, 473
	533, 534
Murphy, Hon. P. P., elected President <i>pro tem.</i> ,	268
leave of absence granted to,	361
leave to record his vote in favor of resolutions tendering aid to general government,	66
leave to record his vote in favor of resolution appointing Thurlow Weed, Commissioner to Washington,	160
Murphy, J. M., leave to record his vote in favor of bill to facilitate construction of Albany and Susquehanna railroad,	216
Murphy, Maria, petition of, for release of certain lands in New York city,	36
Murphy, Maria, and Ann Kerrigan, act for relief of,	49, 52, 117, 162
	168, 169, 172, 173, 384, 499
Mutual Insurance companies, act in relation to actions now pending and hereafter to be brought against receivers of,	537, 548
	588, 596, 601
(See Insurance.)	
Mutual Provident association, bill to incorporate,	144, 156
N.	
National difficulties, resolutions, &c., relative to. (See Federal relations.)	
National Exchange Savings bank, bill to incorporate,	87
National Guards, act to incorporate veterans of. (See Veterans.)	
National Horse Show association, bill to incorporate,	111, 205, 287
	313, 318, 320, 369, 539
Nautical School in harbor of New York, act to establish,	37, 327, 330
	390, 461, 466, 473, 476, 580, 605, 624

Navigation and Colonization company, petition for act to incorporate,	143
act to incorporate,	145, 248, 328, 331, 336, 599
Navigation companies on lakes and rivers. (See Lakes and rivers.)	
Insurance companies, Inland. (See Inland insurance.)	
Neversink plank road company, act to incorporate, ..	129, 304, 361, 362
	371, 374, 579
Newburgh, village of, bill to amend act to amend and modify several acts relating to,	401, 415, 423, 426, 450
remonstrance against,	483
Newbury, Grace, relief of. (See Gaskell, Benj. F.)	
New Jersey, resolutions from Legislature of,	130
New Paltz Ferry company. (See Poughkeepsie and)	
Newtown, act relative to provisions of an act authorizing formation of turnpike road in,	36, 42, 52, 65, 66, 68, 409, 410
	428, 500
New Utrecht, petition for organization of fire company in,	99
New York and Astoria steam ferry company, bill to incorporate, ..	83
New York Central railroad, bill to levy tolls on,	90, 158
New York city, Academy of music in, bill for relief of,	277, 300
petition for,	410, 414
Alemannia society, bill to incorporate,	333
Artists' Fund society, act to incorporate,	45, 50, 52, 65
	80, 93, 96, 98, 539, 622
Assessments for improvements in, bill in relation to, ..	37, 84
Bar, petition of, for increase of judicial force,	185
Battery, petitions that portions of, be used for ferry purposes,	247, 268, 278, 301, 307, 330
Battery, bill to authorize corporation of New York to construct basin in front of, for Staten Island ferries,	211
	330, 349
Bellevue Hospital, act to incorporate, ..	316, 324, 331, 353, 371
	388, 428, 501
and Brooklyn, health of, bill to promote,	241, 292
and Brooklyn, bill to confer certain powers on corporate authorities of,	328
Bulkhead and pier lines, bill to amend act establishing, ..	282
Central Park, report of select committee appointed to investigate affairs of, &c.,	99
resolution to print report of,	103, 129
act to amend acts for regulation and government of, ..	106, 169
	184, 248, 263, 264, 267, 384, 499
bill to repeal act for extension of,	316, 433
bill to authorize revival of proceedings heretofore initiated by commissioners of, to alter map of the city, by laying out a public place therein,	333, 371, 391, 392, 405, 429
Chamberlain, act relative to,	523, 533, 534, 555, 622
(See New York Department of Finance of.)	
charter of, bills to amend,	42, 224, 241, 269
charter of, act providing for amendment of, and for submission of the same to the people,	504, 520, 575, 585
	592, 625
Citizens' Guarantee and Advance association, bill to incorporate,	467
Citizens' Savings bank, bill to amend act incorporating, ..	45
	88

New York city, Coles or Harlem bridge in, act in relation to, . . .	39, 145
167, 268, 324, 345, 348, 351, 359, 542,	580
commissioners of record, bill to repeal law creating, . .	74, 97
commissioners of Sinking Fund, bill to authorize to sell certain lands,	523, 546
commissioners for laying out that part of New York lying north of 155th street, bill to amend act appointing, &c.,	224
269, 310, 312, 318,	320
common council of, communication from, relative to Fed- eral relations,	55
common council, petition for investigation into transac- tions of, in relation to awarding street cleaning con- tracts,	423
common schools, bill to provide for better government of, .	87
	271
comptroller and commissioners of Sinking Fund, to lease portion Battery for ferry purposes,	211, 330, 349
comptroller of, communication from, relative to closing Hamilton square,	350
resolution requesting to inform Senate if any claims have been made by private individuals to property known as Hamilton square,	425
reply of,	462
contracts by mayor, aldermen, &c. (See New York mayor, &c., street cleaning contracts.)	
Corn Exchange, act to amend act to incorporate, . . .	205, 282
407, 409, 419, 470,	502
corporation to borrow money for Croton water. (See New York Croton water.)	
corporation officers, resolution for committee to inquire into acts of, etc.,	451, 452, 460, 607, 619
counsel to corporation, resolution requesting, to report names of persons employed as commissioners and clerks in opening streets in New York city,	114
reply of,	152
court of common pleas, bill in relation to number of judges in,	42, 45, 138, 160
court, Marine, bill in relation to,	42, 88, 138, 160
court, Superior, bill in relation to,	42, 88, 139, 160
court, Supreme, bill in relation to,	39
courts, District, janitors in,	437, 472
courts, act authorizing the procuring of places for holding,	249
279, 289, 298,	497
court house, act to enable supervisors to acquire and take lands for,	373, 384, 391, 433, 445, 447, 477, 482, 621
Croton aqueduct. (See Croton aqueduct.)	
Croton water, act authorizing corporation to borrow money to extend,	494, 507, 516, 528, 621
act to supply Sing Sing prison with. (See Sing Sing prison.)	
Department of Finance of, bill in relation to, . . .	46, 48, 54, 56
79, 83, 88, 90, 92, 103, 244, 254, 299,	533
district courts in, bill to provide for appointment janitors in,	437, 472
Eclectic association in, act to incorporate,	293, 302, 304
309,	497
Eightieth street in, act to legalize contract made with John Slattery for grading,	537, 544, 545, 546, 557, 624

New York city, excavations in, bill respecting,	183
Eye and Ear Infirmary, memorial of, for law to enable to complete their buildings,	202
Finance department, bill in relation to,	46, 48, 54, 56, 79
86, 88, 90, 92, 103, 244, 254, 299,	533
Fire department, act to amend act for better regulation of,	266
281	
Fire department, act to create board of commissioners of appeals of,	267, 281
Fourth Ward Mission school, bill to enable, to participate in distribution of school moneys,	49, 84, 301, 303
German hospital in, act to incorporate,	145, 170, 237, 239
248, 251, 526, 545,	622
Governor of hospital, report of,	291
Hall, bill to amend act in relation to,	68, 434
Hamilton square in, bill to close,	350
resolution requesting comptroller of New York city to re- port if any claims have been made by private individuals to property known as,	425
reply of comptroller,	462
Harbor Masters of. (See Harbor Masters.)	
health of, bill to amend act in relation to public,	364, 383, 473
562, 575, 588,	596
health, bill concerning, in New York, Kings and Rich- mond,	524, 543, 544, 605, 606, 613, 614
hospital, petition of corporation of, for relief,	290
report of governors of,	291
Institute of Technology in, bill to incorporate,	145
janitors of district courts, bill to provide for appointment of,	437, 472
John street Methodist Episcopal church, bill to incorporate board of trustees of,	48, 53, 144, 327
Judge, bill to abolish office of,	97
judicial force in, petitions for increase of,	36, 53, 104, 135
Justices of Supreme court, bill in relation to duties of, ...	39
Laborers' and Domestics' Savings bank, bill to incorpo- rate,	52
land in, bill granting consent of State to United States to purchase,	325
lands in, bill to repeal act authorizing sale of, and empow- ering corporation to purchase,	40
lands in, bill to authorize commissioners Sinking Fund to sell certain,	523, 546
Life Insurance company, petition of, for amendment of charter,	72
bill for amendment of charter of,	118, 162, 168, 172, 173
180, 274, 276, 282,	283
Loaners' association in, act to incorporate,	435, 455, 471
487,	621
Madison square, petition asking for amendment of bill closing,	423
map or plan of, acts and bills to alter,	71, 76, 163, 165, 168
246, 337, 340, 349, 350,	368
petition for,	83
map or plan of, bill to repeal chapter 101, Laws of 1859, in relation to altering by extension of Central Park, ..	316, 433

New York city, Marine court, bill in relation to,.....	42, 88, 139, 160
mayor, aldermen and commonalty, bill to legalize certain acts relating to contracts by, for filling in sunken lots, ..	128
	132, 432, 520, 521
mayor, aldermen and commonalty, act relative to contracts by,.....	219, 225, 232, 248, 257, 578, 605
mayor, &c., bill to authorize, to extend certain streets between West 24th and West 31st streets,	282, 294
mayor, &c., bill to legalize certain acts and ordinances of,	384
mayor and common council, communication from, relating to national difficulties,	79
mechanics' and material men in, bill in relation to liens filed by,.....	410, 434
Metropolitan Police commissioners. (See Metropolitan police.)	
National Exchange Savings bank in, bill to incorporate,...	87
Nautical School in harbor of, act to establish.....	37, 327, 330
	390, 461, 466, 473, 476, 580, 605, 624
Navigation and Colonization company. (See Navigation.)	
Northern Dispensary in, report of,.....	124
notaries public in, act providing for an additional number,	428
	434, 455, 463, 465, 505, 623
officers of corporation, resolution for appointment of committee to inquire into misconduct of, etc.,.....	451, 452, 460
	607, 619
appointment of committee,	619
officers in, act in relation to fees of,....	45, 49, 73, 94, 96, 98
	167, 281
ordinances of, bill to legalize certain,	384
People's Savings bank in, bill to incorporate, .	37, 55, 111, 201
	205, 220, 225
piers number 32 and 33, act to regulate use of,.....	538, 574
	576, 591
port of, bill to repeal part of an act to establish regulations for,.....	49, 52, 96, 169, 172, 173, 342, 347, 364, 365
Post Office site in, act giving consent to United States to purchase land for,.....	325, 394, 434, 441, 443, 448, 501
public officers in, act in relation to fees of, .	45, 49, 73, 94, 96
	98, 167, 281
Produce Exchange company, bill relative to,.....	42
railroad in Avenue D, East Broadway and other streets, bill to repeal act authorizing construction of,...	37, 183, 204
railroad in Seventh avenue and certain other streets, bill to repeal act authorizing construction of,.....	37, 196, 204
railroad in certain streets and avenues, bill to repeal act authorizing construction of,.....	37, 192, 204, 339
railroad in Fourteenth street, bill to repeal act authorizing construction of,.....	37, 183, 204
railroad in South, West and other streets, bill to repeal act authorizing construction of,.....	37, 204, 275
railroad in Tenth avenue, 42d street, bill to repeal act authorizing construction of,.....	47, 121, 204
railroad in Tenth avenue and other streets, bill to authorize construction of,	324
railroads in, bill to reduce fare and provide for better accommodation of passengers on, 45, 64, 240, 300, 305, 478, 485	

New York city, railroads in, bill to repeal act relative to,.....	183, 196
records, act to provide against mutilation of,.....	402, 407, 460
	520, 521, 527, 545, 621
Relief bank, bill to incorporate,.....	45
Savings banks in, remonstrance against increase of,.....	290
Society for reformation of juvenile delinquents, report of,.	217
Sinking Fund commissioners, bill to authorize to sell cer- tain land,.....	523, 546
steamboat piers, bill for better protection of,.....	39, 60, 209
	258, 333
remonstrance against,	239
street cleaning contracts, petition for investigation into transactions of common council in awarding,.....	423
streets, bill to extend certain, between West 24th and West 31st,.....	282, 294
streets, bill amending act to lay out, north of 155th. (See New York Commissioners.)	
sunken lots, bill to legalize acts of mayor, &c., relating to contracts for filling in,.....	128, 182, 432, 520, 521
Superior court, bill in relation to,	39
supervisors, bill to amend act to enable, to raise money by tax,.....	169, 204, 217, 219
supervisors, act to acquire and take land for court house,.....	373
	384, 391, 433, 445, 447, 477, 482, 621
supervisors, act authorizing to raise money by tax for va- rious purposes,.....	386, 483, 503, 520, 557, 592, 624
supervisors, act to enable, to raise money by tax for city purposes,.....	537, 577, 609, 610, 615, 617, 627
supervisors, bill authorizing to borrow money in anticipa- tion of collection of taxes,	494
Supreme court, bill in relation to duties of justices of,....	39
tax levy, city and county. (See New York supervisors.)	
unsafe buildings in, act to amend act to provide against,.	372
	575, 609, 612, 616, 627
vagrancy in, act to provide for more certain and guarded prosecution of,.....	250, 341, 471, 472, 480, 486, 509, 517
	539, 545
Volunteers Burial and Monument association, act to incor- porate,.....	372, 456, 483, 485, 491, 517, 623
West Washington market in, bill to repeal act in regard to,	37
Woman's hospital in. (See Woman's hospital.)	
act to incorporate company for safe keeping of valuable packages, &c.,.....	271, 272, 316, 338, 405, 406, 409, 412
	596, 625
New York and Connecticut, boundary line between, report of com- missioners,.....	161, 162
resolution to print,	174, 175, 189
New York and Erie railroad company, bill to impose tolls on,...	90, 158
New York and Erie railroad, act in addition to an act relating to the foreclosure and sale of,	305, 337, 339, 342, 354
	435, 501
petitions for,.....	278, 305
New York and Flushing railroad, bill supplementary to charter of,	108
	144, 148
act to amend charter of,.....	316, 332, 341, 357, 500

New York and Harlem railroad, petitions for reduction of milk freight on,.....	101, 105, 143
bill to regulate rate of milk freight on,.....	130, 326, 402, 421
	425, 476
New York Juvenile asylum, act in aid of,.....	223, 275, 276, 284
	285, 608
New York and Kings county jails, bill in relation to persons imprisoned in,.....	327, 338
New York marriages, book of. (See Marriages, book of.)	
New York Mills Fire company, act to revive and extend charter, ..	107
	188, 205, 362, 363, 374, 490
New York State Agricultural college, petition of, for aid,.....	192, 196
bill making appropriation in aid of,....	241, 340, 390, 466, 478
	486, 488
State Agricultural society. (See Agricultural society.)	
State Idiot Asylum. (See Idiot Asylum.)	
State Inebriate Asylum. (See Inebriate Asylum.)	
State Library. (See State Library.)	
State Lunatic Asylum. (See State Lunatic Asylum.)	
State Medical society. (See Medical society.)	
State Military association. (See Military association.)	
State Normal school. (See Normal school.)	
State, bill to submit to people, question of calling Convention to amend Constitution of, ..	443, 451, 473, 533, 534, 555
State, bill to submit question to people of, to amend Constitution of United States,.....	62, 77, 82, 115
New York and Vermont Preachers' Aid society, bill to incorporate,	55
Niagara county, boards of health in, bill to regulate charges incurred by,.....	307, 315, 333, 334
petition of supervisors of, for,.....	306, 307
county board of supervisors, act in relation to auditing accounts by,.....	164, 176, 362, 363, 375, 395, 499
county supervisors, act repealing law extending term of service of,.....	270, 277, 285, 497
petitions for,	268
remonstrance against,	268
Niagara Falls, bill for amendment of charter of, ..	171, 442, 443, 464, 473
petition for,	120
Non-resident taxes, petition relating to collection of,	208, 291
bill to amend act in relation to collection of,....	291, 352, 362
	391, 398, 405, 412, 440, 447
Non-residents, bill to amend act in relation to assessment of highway labor on lands of,	388
Noone & Fitzgerald, resolution from Assembly requesting papers of,	81
act for relief of,.....	504, 516, 556, 563, 572, 623
Normal school, invitation to attend closing exercises of,.....	110
North Carolina, resolutions from House of Commons of the State of, ..	152
North Castle, act to fix place of holding annual town meeting in, ..	205
	206, 218, 282
Northern Dispensary, report of,	124
Northern New York, petition to open up forests of,	66
Notaries public, act to confirm acts of, &c., ..	37, 39, 56, 65, 66, 70, 71
	73, 74, 530, 624
bill in relation to powers and duties of,	55, 60
petition for law to authorize, to take acknowledgments, ..	72

Notaries public in New York, act providing for an additional number of,.....	428, 434, 455, 463, 465, 505,	623
Notes, bill to amend act designating days to be observed in payment of. (See Holidays.)		
Noyes, William Curtis, appointed Commissioner to Washington,...	127	
	133, 139,	142
report of, in reply to D. D. Field,.....		517
communication from, in relation to erection of monument commemorative of Declaration of Independence,.....		373
O.		
Ocean Telegraph company, petition of,.....		208
Office, bill to regulate removals from,.....	236,	292
petition for,.....		455
Officers of Legislature, concurrent resolution for appointment of select committee, on number and compensation of,....	50,	57
	83,	87
bill relating to,.....	444,	473
of Senate, resolution to employ no more than allowed by law, and to pay no extras,.....		43
report of committee on,		48
of Senate, President to appoint vacant,	5,	41
Ogdensburgh, village of, act to amend charter of,....	293, 294, 312,	497
Ohio, resolutions from General Assembly of,		85
Olean village, act to authorize trustees of, to open Hamilton street,		401
	483, 493, 506, 553,	622
Olmstead, M. M., act to confirm acts of,	257, 275, 284,	497
Oneida Castle, village of, act to amend charter of,...	474, 483, 494,	506
	518,	620
Oneida county board of supervisors, act in relation to auditing accounts by,.....	164, 176, 362, 363, 375, 395,	499
county taxes, act to extend time for collection of,....	168,	176
	180, 184,	249
county records and filed deeds, act to authorize to be transcribed for Jefferson county,....	136, 177, 331, 338, 352,	540
	580,	622
lake, act to amend act to provide for preservation of fish in,.....	524, 532, 562, 574, 585,	623
lake canal, act to provide for rebuilding locks on,....	435,	471
	492,	529
Onondaga county board of supervisors, act in relation to auditing accounts by,.....	164, 176, 362, 363,	375
	395,	499
Indians, act to amend act for relief of, tribe of, ..	426, 434,	441
	444, 458,	501
Penitentiary, act to amend act in relation to,.....	81, 83,	110
	112,	127
Salt Springs. (See Superintendent of Onondaga Salt.)		
Ontario county, overseers of the poor, act to reduce number, etc., .	583	
	586,	624
Orange county board of supervisors, act in relation to auditing accounts of,.....	164, 176, 362, 363, 375, 395,	499
Osborn, N. H., resolution relative to papers of,.....		60
bill for relief of,		149
Ostrander, Jones D., petition of,.....		362
act to legalize acts of, as constable of the town of Danby, ..		364
	371, 391, 393, 405, 406, 541, 545,	622

Ossining, act to authorize town of, to raise money by bond, .37, 40,	117
	274, 276, 283, 300, 336, 497
remonstrances against,	57, 72, 76, 101
petitions for,	83
Oswegatchie river, petition for improvement of,	55
Oswego canal and Oswego river, act to amend act for preservation	
of bridge over,	537, 571, 577, 589, 625
city, act amending act to revise charter of, .. 91, 203, 216,	219
	231, 233, 234, 249, 281
city, act relinquishing title and ceding jurisdiction to Uni-	
ted States over certain land to be occupied as a pier, ..	474
	486, 489, 527, 623
county, superintendents of poor of, act to legalize official	
acts of,	163, 176, 278, 280, 294
county superintendents of poor of, act in relation to num-	
ber of,	537, 544, 562, 574, 585, 624
Falls, act for preservation of bridge at, over Oswego canal.	
(See Oswego canal.)	
river, act to legalize proceedings of town auditors of Gran-	
by and Schröppel, in rebuilding bridge across,	537, 547
	553, 596, 601
Owego, village of, act to amend several acts incorporating, ...	211, 270
	497
Oyer and Terminer, courts of. (See Court of Sessions, &c.)	
Oysters, bill relative to planting, within waters of this State, ..	60, 117

P.

Paca avenue in Kings county. (See Kings county.)	
Packages and property, act to incorporate company for safe keeping	
of, &c.,	271, 292, 316, 338, 405, 406, 409, 412, 596, 625
Pages of the Senate, appointment of,	51, 200, 210, 215, 216
resolution to furnish with stationery,	71
resolution to furnish with Red Books,	201
Palmyra, village of, act to amend and consolidate acts relating to,	
	386
	392, 407, 415, 430, 620
Panama Fair Ground company, act to incorporate, .. 53, 72, 93, 96,	99
	438, 451, 500
village of, act to incorporate,	117, 204, 214, 317, 342, 498
village of, act to amend act to incorporate,	521, 529, 621
Parade ground in Kings county. (See Kings county.)	
Pardons, message from Governor transmitting reports of,	39
Parker, Amasa J., communication from, to Senate, inviting to at-	
tend Democratic State Convention,	124
Parma, town of, bill authorizing levying tax upon,	282, 292
Parsons, Gilbert E., bill confirming acts of, as notary public, ...	52, 56
	116, 277, 279, 298, 296
Peace Commissioners. (See Commissioners to Washington.)	
Pedlars, bill in relation to,	241
People's college, bill making an appropriation in aid of,	427
Ferry, petition of inhabitants of Richmond county, relative	
to,	202
Savings bank, bill to incorporate, .. 37, 55, 111, 201, 205,	220
	225
Percy, John, petition of, in relation to his improved shot and bomb,	256
Perkins, Sarah T., petition of. (See Russell, Sarah T.)	
Petit jurors at county courts, &c. (See County courts.)	

Phelps, Philip, bill providing additional compensation to,.....	228, 244
	275, 276
Phillips, Elijah, act to legalize acts of, as justice of the peace,	537, 547
	562, 596, 600, 624
Phillips, William, act to legalize acts of, as constable of town of	
Danby,.....	541, 545, 547, 622
Phillipstown, act authorizing commissioners of, to lay out certain	
highways in,.....	537, 547, 553, 576, 590
Physicians at Auburn and Sing Sing prisons, bill to increase duties	
and compensation of,.....	129, 292, 346, 351, 370, 376, 377
Physician of Marine Hospital, report of,.....	156
resolution to print report of,	174, 176
bill to abolish office of,.....	92
Pierce, Horace, W. W. Baker, B. A. Son and Roswell Kelsey, peti-	
tion of, for relief,.....	51
act for relief of,.....	149, 275, 288, 292, 295, 599, 624
Pierson, Robert T. and Henry, relief of. (See Gaskell, Benj. F.)	
Piers, number 32 and 33, in New York, act to regulate,.....	538, 574
	576, 591
Pine Plains and Stanford, petition for more effectual draining of low	
lands in,	72, 240
bill for more effectual draining of low lands in,.....	87, 97, 305
	307, 471, 472, 485, 487
Plaintiffs, petition that, give security for costs,	131
Plankroad companies, (indexed by first name of road, as Westfield	
and Clymer, &c.)	
Plattsburgh, commissioners of highways, bill authorizing to borrow	
money to build a bridge,	335, 336, 342
petition of town officers for,	330
Methodist Episcopal church, petition of, for power to con-	
vey real estate,	328
act authorizing Wm. Griffen to convey by deed his house	
and lot to,.....	325, 331, 351, 355, 380
school law, petition for change of,.....	370
schools and academies, bill in relation to,.....	373, 434, 493
town of, act to divide election district No. 1, in,.....	136, 181
	218, 228, 239, 242, 580
town officers, petition for law to borrow money to build	
bridge,	380
petition of voters for,	185
village, bill to amend charter of,	136, 181, 218, 220, 224, 227
Police justice in Corning. (See Corning.)	
in Saugerties. (See Saugerties.)	
Poor Widows' society, bill to amend act incorporating,....	112, 172, 327
	331, 334
Port Wardens, resolutions relative to,.....	160, 509, 577
Post Bay, petition for law prohibiting taking of fish in,.....	76
Posts for rope ferries, act authorizing erection of,....	37, 40, 56, 93, 96
	98, 249, 281
Potter's Hollow turnpike road company. (See Gilboa and)	
Poughkeepsie, city of, act making territory of, jail limits of Dutchess	
county,	63, 82, 100, 112, 113, 384, 498
petition for,	66
city of, act to authorize to borrow money to purchase steam	
engine,	91, 96, 115, 131
Gymnasium, act to incorporate,....	410, 415, 455, 462, 464, 466
	493, 620

Poughkeepsie and New Paltz ferry, act to amend charter of,.....	276
petition for,	277, 498
town of, act to enable electors of, to vote by districts for	86
town officers,.....	117, 119, 122, 181, 183, 155, 281
Pratt, Seymour, relief of. (See Bangs, Reuben H.)	
Prattsburgh, act releasing interest of town of, to certain premises	
in,.....	132, 177, 327, 331, 334, 596, 625
Preachers' Aid Society of New York and Vermont annual conference, bill to incorporate,.....	55
Preble, act to authorize draining lands in town of, ...	382, 442, 456, 460
petition for,	493, 620
President of the Senate, address of,.....	302, 382
to appoint pages and fill vacant offices,.....	4
casting vote of,.....	5, 41
appeals from decisions of,.....	147
resolution of thanks to,	182, 186, 194, 599, 600
communication from,	614
President <i>pro tem.</i> of the Senate, elections of,.....	626
resolution for appointment of select committee to report if	
necessary to elect new,	154, 268, 400, 403
report of committee,.....	269
resolution of thanks to Messrs. Ferry and Lapham,	308, 321
address of Mr. Ferry,	626
President elect of United States, concurrent resolution requesting,	
to pass through Albany on his way to Washington,....	627
communication from, in reply to resolutions,.....	102
committee to make arrangement for reception of,.....	108
report of committee on reception of,	165
resolution that two Houses meet in joint convention to receive,.....	166
resolution requesting Speaker Assembly to preside at joint	
meeting and welcome,	189
resolution requesting Senator Colvin to preside and welcome,.....	191, 192
reception of,.....	192, 193
President of United States, communication from James Buchanan as,	
Printing extra copies of Governor's message,.....	194
of annual report of Managers of Western House of Refuge,	
of report of Comptroller,	195
of report of Superintendent of Banking Department, ...	75
of report of select committee on Federal relations, ...	33, 71, 78
of report of managers of State Lunatic Asylum at Utica, ..	42
of report of Regents of the University,	48
of report of Commissary General,	43, 56
of report of Adjutant General,	47, 56
of report of Superintendent of Onondaga Salt Springs, ..	63
of report of State Engineer and Surveyor,	67, 72
of report of Superintendent of Insurance Department, ..	67
of report of Inspectors of State Prisons,	78
	76, 78
	84, 80
	84, 87
	88, 90
	93, 105
	93, 107
	123
	93, 106

Printing of report of select committee appointed to investigate af-	
fairs and condition of New York Central Park,	103, 129
of report of select committee on petitions for aid to Albany	
and Susquehanna railroad,	114, 116
of report of Metropolitan Police Commissioners,	114, 120
of list of members and officers of Legislature,	119, 120
of report of Auditor of Canal Department,	124, 126, 258, 326
of report of Superintendent of Public Instruction,	130, 131
	188, 199
of report of Canal Appraisers,	136, 144
of report of Secretary of State on criminal and poor sta-	
tistics,	158, 163
of report of Canal Commissioners,	158, 163
of report of trustees of State Asylum for Idiots,	164, 167
of report of Commissioners to ascertain boundary line be-	
tween New York and Connecticut,	174, 175, 189
of report of Physician of Marine Hospital,	174, 176
of report of Board of State Assessors,	191, 196
of report of State Engineer on railroads,	191, 196
of report of New York State Medical Society,	199, 205
of report of Superintendent of Banking Department, on	
Savings banks,	258, 325
of report of Comptroller, on time of payment of taxes by	
county treasurers,	261, 434
of report of select committees of Senate and Assembly, on	
subject of amending Constitution so as to prohibit sale	
of intoxicating liquors as a beverage,	371, 402, 415
of Transactions of New York State Agricultural Society, .	475
	559
of Transactions of American Institute,	475, 559
of report of trustees of State Library,	512, 521
Printing committee, resolution that they report if Gideon J. Tucker	
had authority to publish book of marriages,	299
Prohibitory liquor law, petitions for,	223, 340
Property, act to incorporate company for safe keeping of valuable	
packages, and	271, 292, 316, 338, 405, 406, 409, 412
	596, 625
Prosser, Hon. E. S., elected President <i>pro tem.</i> ,	400
Provident association, bill to incorporate Mutual,	144, 156
Public defence, act to provide for. (See Militia, Volunteer.)	
Public health, bill relating to, of Metropolitan police district,	107
of New York and Kings. (See New York, &c.)	
Public Instruction, Superintendent of, resolution to print report of,	130
	131
Instruction, bill to amend Revised Statutes in relation to, .	387
Putnam Valley, act to annex part of town of Carmel to. (See Car-	
mel.)	

Q.

Quarantine, act making appropriations for payment of commission-	
ers and clerks appointed to ascertain damages relating	
to,	248, 256, 263, 264, 282
bill in relation to removal of,	107, 145
establishment, bill in relation to,	303
lands, bill in relation to sale of,	241, 269, 339, 344, 349
	358, 609

Queens county, act to prohibit cattle from running at large in, ..	71, 73
	74, 604, 608
game in, act in relation to,	385, 408, 441, 443, 457, 620
Savings bank, act to amend act to incorporate, ..	271, 292, 313
	384, 498

R.

Railroad on berm bank Chenango canal. (See Chenango canal.)	
Railroad companies, (indexed by first name of road, as New York Central, &c.)	
companies, remonstrances against allowing to abandon the whole or any part of their roads,	236, 268, 306, 323, 329
	350, 362, 381, 400, 432, 456, 470
Companies, bill in relation to,	219, 455
Corporations, bill to amend act to authorize formation of,	402
tolls, bill to levy and collect,	90, 158
Railroads in New York city. (See New York city railroad.)	
in Rochester. (See Rochester.)	
in Syracuse. (See Syracuse.)	
in Westchester. (See Westchester.)	
Railways in Buffalo. (See Buffalo.)	
Rapelyea or Pelham bridge, bill to amend act relative to, ..	45, 102, 144
	213, 219, 225, 228, 290, 497
Ratz, Mary Jane, petition of,	148
bill for relief of,	220, 299, 304, 440, 445
Reciprocity treaty, concurrent resolutions relative to,	207, 212, 258
	267, 539
Recognizances, bill in relation to, &c. (See Fines and)	
Records of New York, to provide against mutilation of. (See New York City Records.)	
Red books, resolutions to furnish,	£5, 201
Regents of the University, annual report of,	76
resolution to print,	76, 78
communication from Secretary of, relative to vacancies in board of,	76
resolution to proceed to election of,	91, 102
election of,	137, 139
Registers' offices, bill in relation to searches in,	873
Registry law, bill to amend,	45
Relief bank, in New York, bill to incorporate,	45
Religious societies, bill to amend act to provide for incorporation of, ..	162
	548
Removals from office, bill to regulate,	236
Remsen, road in, from State pond to Jock's lake,	528, 543, 545, 547
	568, 624
Rensselaer county surrogate, act in relation to index in office of, ..	386
	407, 454, 456, 464, 501
county taxes, act to amend act to legalize,	101, 106, 119
	122, 280
Institute, act to consolidate and amend several acts incorporating,	372, 387, 406, 408, 418, 620
and Saratoga railroad, bill in relation to,	456, 460
petition for,	512
remonstrance against,	512
Rensselaerville, bill providing for holding next town meeting in, ..	456
	462, 472
petition for,	455
Reporters, bill relative to,	444

Reporters, resolution of thanks to,	626
Resolution, for committee to wait upon the Governor,	4, 627
for committee to wait upon the Assembly, .. 4, 69, 138, 403,	626
that Clerk invite clergymen to open sessions with prayer,	4
for payment of postage,	5
authorizing President of the Senate to fill offices and pages	
of Senate, now vacant,	5, 41
to refer so much of the Governor's message as relates to	
national difficulties to a select committee of five, 34, 43,	48
to print extra copies of reports. (See Printing.)	
joint or concurrent resolutions. (See Concurrent resolutions.)	
of Mr. Spinola, directing the Governor to tender to Presi-	
dent the services of Militia, and directing military com-	
mittee to bring in bill to raise \$10,000,000 if necessary,	34
of Mr. Colvin, relative to national difficulties,	35
that Clerk transmit no document costing over twenty	
cents,	38
that joint rules be in force,	41, 63, 102
that Senate hold executive sessions on Wednesday of each	
week, at 12 m.,	40
that Clerk purchase Revised Statutes for President of Sen-	
ate,	41
requesting papers from Assembly of Elisha Smedley,	41
that Senate employ no more officers than is allowed by	
law, or pay any extra compensation,	43
to procure diagrams,	43
for committee to take into consideration excise laws and	
report,	46, 84, 86
to refer petitions for aid to Albany and Susquehanna rail-	
road, to same committee as last year,	46
that Clerk read Andrew Jackson's proclamation of 1892, ...	47
to appoint committee on number and compensation of Le-	
gislative officers,	60, 57
to refer certain portions of Governor's message to various	
committees,	53
that committee on militia and public defence inquire into	
condition and efficiency of militia of the State, &c.,	59
of condolence with Hon. Wm. H. Ferry,	65
requiring President Hudson River railroad to report to	
Senate amount received for passengers and freight at	
each station,	63
to furnish civil list,	63, 86
to furnish pages with stationery,	71
relative to papers of Warren County Agricultural society,	75
to make Governor's message special order, ... 84, 99, 124,	158
169, 180, 198, 235, 236, 261, 275, 328,	377
to furnish Red books,	85, 201
of condolence with Hon. James A. Bell,	100
that Attorney General give official opinion as to liability	
of State to pay claim of Squire Whipple,	103
to take from files petitions, &c., for aid to Troy University,	114
to appoint clerk to committee on claims,	114, 119
that counsel to the corporation of the city of New York	
report names of persons employed as commissioners and	
clerks in opening streets,	114, 152
that trustees State library purchase Livingston papers, ..	125

Resolution requesting Canal Board to report action on claim of Horace Allen,	154
requesting Canal Board to report if the appropriation for Glen's Falls feeder has been expended,	154, 158, 217
that Clerk furnish additional reporter's chair for J. C. Jacobs,	156
to recommit bill imposing tolls on certain railroads to finance and canal committees,	158
that joint committee on railroad tolls, report upon propriety of establishing discriminating,	159
requesting Governor to answer certain questions as to Harbor Masters and Port Wardens,	160
for select committee to investigate charges against New York Harbor Masters,	161, 180, 259, 509, 577
that Senate meet at 10 o'clock,	173, 227
for evening sessions,	174, 233, 234, 311, 381
requiring Long Island railroad company to report names of stockholders, &c.,	179
that Comptroller report time of payment of State taxes by county treasurers,	180
requiring committee on reception of President elect, to report,	189
to discharge committee on reception of President elect, from further consideration of the subject,	189, 190
that Speaker of the Assembly be requested to preside at the joint convention, and welcome President elect,	193
that Senator Colvin be requested to preside at the joint convention, and welcome the President elect,	193
that no Senator speak more than fifteen minutes, or more than twice on any one subject,	198, 236, 480
for appointment of additional pages,	200, 201
to furnish Red books to pages,	201
appointing pages for balance of session,	215, 216
that Auditor of Canal Department report amount of unpaid drafts,	222
to adjourn fifteen minutes before two o'clock,	233, 234
to refer so much of Governor's message as relates to the city of New York to Senators from New York city,	244
to hold afternoon sessions,	258, 336, 369, 445
for appointment of select committee to report if necessary to elect new President <i>pro tem.</i> ,	269
requiring Metropolitan Police Commissioners to report names of all policemen employed in other States, &c., ..	273
.....	274, 286
to refer to select committee matter of inquiring relative to arrest and detention of persons by Metropolitan Police, ..	274
.....	389
that printing committee report whether Gideon J. Tucker, as Secretary of State, had authority by law to cause to be printed at expense of the State, the book of New York Marriages,	299
for select committee of eight,	304, 337
requesting Commissioners of Land Office to return papers of Gertrude C. Doe,	304
for committee of three to arrange and classify general orders,	312

Resolution that Senators be held in contempt for being absent, . . .	344
declaring Metropolitan Commissioners in contempt for not answering resolution of Senate,	389
requesting Clerk of the Court of Appeals to send to Senate statement of number of causes entitled to preference un- der chapter 167, of laws of 1860,	422
requesting Comptroller of the city of New York to inform the Senate whether any claims have been made to prop- erty known as Hamilton square,	425, 462
requesting J. C. G. Kennedy, Superintendent of United States census, to send to Senate the census of this State by counties,	425, 467
for committee of five to inquire into irregularities, or mis- conduct of officers of the corporation of the city and county of New York, &c.,	451, 452, 460 607
to discharge committee on manufacture of salt, from fur- ther consideration of bill in relation to duties on salt, ..	480
for removal of John S. Anable from office of Harbor Mas- ter,	509
that select committee appointed to investigate charges against Harbor Masters to continue their investigations, and to examine charges against Port Wardens,	509, 577
to refer Assembly claim bills to select committee,	556, 558
that Cha's G. Fairman be directed to collect and file away all papers relating to executive sessions,	614
requesting Secretary of State to pay expenses of sending packages of Senators to their residences,	614
of thanks to Hon. R. Campbell, President of the Senate, ..	614
of thanks to Hon. Wm. H. Ferry, President <i>pro tem.</i> of the Senate,	626
of thanks to James Terwilliger, Clerk of the Senate,	626
of thanks to Hon. Nathan Lapham, as President <i>pro tem.</i> of Senate,	626
of thanks to reporters,	626
Reubell, Augusta, act for relief of, 325, 332, 349, 353, 540, 580,	622
Revised Statutes, resolution directing Clerk to purchase for Presi- dent of Senate,	41
bill to amend article 4, title 5, chapter 9, of part 1st of grants of land under water, ..55, 61, 103, 109, 120, 125,	289
bill to amend section 1st, article 3, title 6, part 4, relative to offences punishable by imprisonment in county jail, ..	81
.	87
bill to amend article 3, title 1, chapter 8, part 2, concern- ing domestic relations,	129, 221
bill to amend section 99, chapter 16, part 1st of,	164
act to amend, in respect to highways,	164, 177, 218, 222
.	225, 231, 581, 613
bill to amend article 3, title 1, chapter 5, part 2d of volun- tary assignments,	250, 279, 333, 351, 354, 581
act to amend section 36, chapter 5, title 1, part 3 of,	271, 279
.	449, 623
bill to amend part 1st, title 13, chapter 18, section 87 of, .	283
.	331
bill to amend section 8, title 5, part 4, chapter 1, of unlaw- ful marriages and incest,	286, 331, 382, 384, 392, 421
act to amend section 1, title 5, chapter 20, part 1st of,	293
.	332, 345, 348, 407, 423, 424, 445, 501

Revised Statutes, bill to amend chapter 13, part 1st of collection and assessment of taxes,	347, 350
bill to amend, in relation to property exempt from taxation,	385
act to amend, in relation to trials by jury, ...	395, 407, 502, 506
	567, 623
Richfield Springs, act to incorporate village of,	394, 415, 423, 425
	489, 500
Richmond, Mr., leave of absence granted to,	345
Richmond county board of supervisors, act authorizing, to borrow money,	77, 83, 95, 109, 112, 280
county board of supervisors, act in relation to auditing accounts by,	164, 176, 362, 363, 375, 395, 499
county Gas Light company, act to increase directors of, ..	435
	442, 455, 475, 620
county, petition of inhabitants of, relative to people's ferry, 202	
county, act to pay damages at Quarantine. (See Quarantine.)	
Ripley Fire Insurance company, act to legalize certain proceedings of,	372, 393, 407, 438, 447, 501
Road from State pond to Transparent or Jock's lake, act to amend act to lay out and construct, ...	523, 543, 545, 547, 568, 624
Road in Bethlehem. (See Bethlehem.)	
Roberts, M. M., resolution to take papers of, from files,	50
Robinson, Wm., relief of. (See Gaskell, Benj. F.)	
Rochester city charter, act to amend and consolidate,	386, 392, 406
	415, 429, 620
city, common council, act to authorize to raise money for widening bridge over Main street in,	475, 479, 580, 624
city, horse railroads in, bill to promote construction of, 324,	494
petitions for,	307, 315, 324, 506
remonstrances against,	506
city, Main street bridge, act to widen,	475, 479, 580, 624
city, railroads in, bill to authorize laying track in certain streets,	324, 494
(See above, Horse railroad.)	
city taxes, act to amend act in relation to collection of, ..	108
	118, 306, 307, 318, 319
city, sewer in, act authorizing Canal Commissioners to construct, from Nelson street into Erie canal,	435, 472, 492
	556, 564, 573
city, bill to authorize construction of bridge over Genesee Valley canal, at Atkinson street in, ..	437, 508, 575, 583, 586
Historical society, act to incorporate, ..	224, 248, 275, 277, 282
	285, 600, 625
Rope ferries. (See Ferries.)	
Rowley, Wm. C. (See Billingham, Henry.)	
Rules of Senate to be in force until otherwise ordered,	5
report of standing committee on,	77
26th, notice to suspend,	282, 524
26th, suspended,	304
31st, notice to suspend,	524, 597
46th, notice to suspend,	597
Rules, joint, to be in force as at last session,	41, 63, 102
19th, suspended,	350, 378
Rural Cemetery association, act to amend act authorizing incorporation of,	132, 177, 391, 393, 410, 499

Rural improvements, bill to encourage,.....	64, 72, 119
Russell, Hannah, act for relief of,.....	385, 415, 461, 508, 512, 515
	564, 623
petition relative to,	461
Russell, Sarah T., petition of, for repayment of taxes in Johnsburgh,	170
	290

S.

Sacandaga river, petition for bridge across,	80
bill to authorize further appropriation to aid in building	
bridge across,.....	223, 304, 306
Sag Harbor, act to amend and consolidate several acts relating to	
village of,.....	386, 415, 423, 425, 446, 513
Saint Stephen's college, act relative to,....	156, 171, 215, 220, 225, 230
	579, 605, 624
Salisbury, Barent Staats, bill to erect monument in memory of,....	136
	294
petition for,	256
Salt, petition for increase of duties,.....	239
Salt duties, resolution to discharge committee on manufacture of	
salt, from consideration of bill in relation to,.....	480
Salt Springs and manufacture of salt, bill to amend act concerning,	271
resolution to discharge committee from consideration of,..	480
Salt Springs, Superintendent of. (See Superintendent, &c.)	
Sanderson, Eliza, late Eliza McBair, act for appointment of trustees	
of,.....	324, 331, 351, 355
Sanford, Henry W., bill to legalize acts of,.....	539, 547
Saratoga Horse Show association, petition to incorporate,	104
(See National Horse Show association.)	
Saugerties, overseer of the poor, act to authorize the election of one	437
	447, 501
police justice in, act authorizing election of,....	248, 253, 257
	281
Savage, James, and Thomas Kane, bill for relief of, ..	373, 393, 445, 548
Savings banks, resolution to print report of Bank Superintendent	
on,.....	258, 325
Savings bank, (indexed by first name of bank, as Queens county,	
Wayne county, &c.)	
Sayles, John, act to legalize acts of, as superintendent county poor	
of Oswego county,	163, 176, 278, 280, 294
Schenectady, bill to amend charter of city of,.....	54, 171
remonstrances against,.....	290, 370
petition for repeal of act extending limits of,.....	111, 268
Schermerhorn, Simeon, relief of. (See McCue, J. J.)	
Schoharie county courts, bill to facilitate transaction of business at,	107
	116, 314, 316, 318
petition for printing calendars of courts,	105
Kill Bridge company, bill to amend charter of, ..	308, 323, 332
	435, 485
petition for,	307
remonstrance against,	432
Lutheran cemetery. (See Lutheran, &c.)	
and Richmondville plankroad company, petition to repeal	
charter of,	126
School districts, bill relating to trustees of,	42, 156
libraries, bill to furnish State Map and Gazetteer for,	164
	172, 256

School district libraries, petition for,.....	256, 302
Schools in Albany. (See Albany.)	
in Binghamton. (See Binghamton.)	
in Brooklyn. (See Brooklyn.)	
common, act to appropriate proceeds of State tax to. (See State tax, &c.)	
common, bill to amend Statutes for more thorough supervision of,	387
in Cortlandt. (See Cortlandt.)	
in Fishkill. (See Fishkill.)	
in Hamilton. (See Hamilton.)	
in Hempstead. (See Hempstead.)	
in Ithaca. (See Ithaca.)	
in Lenox. (See Lenox.)	
in Morrisania. (See Morrisania.)	
in New York. (See New York city.)	
on Tonawanda reservation. (See Tonawanda.)	
in West Farms. (See West Farms.)	
in Yonkers. (See Yonkers.)	
Schroeppel, act to confirm acts and proceedings of board of town auditors of, &c.,	587, 547, 553, 596, 601
Schuyler county, to postpone sale of lands in. (See Steuben county.)	
Schuylerville Bridge company, act extending charter of,.....	385, 424
	449, 623
Scott, Geo. W., appointed clerk to judiciary committee,	54
Scott Life Guard, act to incorporate, ..	282, 291, 305, 317, 318, 384, 498
Scriba, act to drain lands in. (See Wine Creek swamp.)	
Secretary of State, resolution to print report of, on criminal statistics.....	158, 163
act to consolidate and amend acts relating to transmission by clerks of counties and sheriffs, of records of convictions, &c.,.....	386, 403, 405, 406, 416, 500
resolution requesting, to pay expenses of sending packages of Senators to their residence, &c.,.....	614
Secretary of United States Treasury, communication from,.....	152
Select committee of eight, resolution for,.....	282, 304, 337
appointment of,.....	349
Select and standing committees. (See Committees.)	
Senate, motions for call of,.....	343, 478
Senate, Journal Clerk of. (See Journal Clerk.)	
officers of, resolution to employ no extra, or pay extra compensation to,	43
report of committee on,	48
resolution to meet at 10 o'clock,	173, 227
resolution to meet on Tuesday and Thursday evenings for consideration of general orders,.....	174, 233, 234, 311
resolution to adjourn at a quarter before two,.....	233, 234
resolution for afternoon sessions,.....	258, 336, 369, 445
Senators, list of,	3
resolution to print list of,.....	119, 120
resolution not to speak more than ten minutes, or more than twice upon any one subject, &c.,.....	193, 236, 430
motions to send for absent,.....	124, 150, 186, 223, 229, 230
resolution to hold in contempt for being absent,	344
resolution requesting Secretary of State to forward packages to, &c.,.....	614

Seneca Falls Savings bank, act to incorporate,.....	427, 507, 512, 520 565, 605
Seneca Nation of Indians, act to relieve by preferring certain causes on calendar of Court of Appeals,..	164, 168, 177, 287 289, 470, 502
petition for,	163
remonstrance of, against Assembly bill for improvement of Tonawanda band of Seneca Indians,.....	470
Seventh Regiment, National Guard, act to incorporate veterans of,	107 121, 173, 174, 178, 179, 249
Sheriffs, act to consolidate and amend acts relating to transmission of records of convictions to Secretary of State by, ..	386, 408 405, 406, 416, 500
Sibley, Wm. H., bill relative to funds of, in hands of surrogate of New York city,.....	182
Sing Sing Kill bridge, act authorizing construction of, over high- way,.....	894, 422, 424, 489
Sing Sing Kill road. (See Ossining.)	
Sing Sing State prison, bill to increase compensation and duties of physicians at,.....	129, 292, 346, 351, 370, 375, 377
act to supply with Croton water and to provide for sale of lands,.....	427, 434, 508, 595, 596, 600
Sister Islands in St. Lawrence river, petition for act to cede juris- diction of,.....	59
communication from A. W. Whipple relative to,.....	282
act giving consent of State to United States to purchase,	426 484, 483, 486, 530
Skating parks and sporting grounds, act to provide for incorpora- tion of,.....	427, 433, 471, 472, 489, 620
Slattery, John, act to legalize and confirm contract made with, for grading 80th street, in New York,.....	537, 544, 545, 546 557, 624
Sleeper, James, relief of. (See Delano, A. S.)	
Smedley, Elisha, resolution requesting Assembly to transmit papers of,	41
bill for relief of,.....	279, 327, 388, 342, 354
Smith, David Cady, and others, act for appraisal and payment of can- nal damages to,.....	436, 472, 556, 562, 570, 623
Smith Hall association, in Manlius village, act to incorporate,.....	538 547, 567
Societies, benevolent, missionary and others, act for sale or leasing of real estate of,.....	132, 155, 277, 288, 297, 315, 498
benevolent, charitable, scientific and missionary, act to amend act for incorporation of, ..	474, 522, 588, 589, 592, 624
religious, bill to amend act to incorporate,.....	162, 548
Society for relief of poor widows with small children, bill to amend act to incorporate,	111, 172, 327, 331, 334
for relief of poor children of Jewish persuasion, act to amend act to incorporate,.....	168, 170, 362, 368, 376, 499
Sodus Bay, petition for preservation of fish in,	51
act to establish ferry across,.....	524, 543, 552, 574, 586
Soldiers of war of 1812, petition from, that commission to examine claims be brought to speedy close,	148, 167
of war of 1812, act to abolish commission to examine claims of,	385, 433, 474, 485, 490, 514, 519, 548, 581, 623
Son, B. A., relief of. (See Pierce, Horace.)	

South Carolina, concurrent resolutions relative to,	57, 59
South Side railroad company, act granting certain privileges to,...	136
	202, 233, 239, 384, 500
Spaulding, Harvey D., relief of. (See Delano, A. S.)	
Speaker of the Assembly, resolution requesting, to preside at joint convention and welcome President elect,	192, 193
Sporting grounds, to incorporate. (See Skating parks.)	
Stanford, draining lands in. (See Pine Plains and)	
State Agricultural College and society. (See New York State Ag- ricultural, &c.)	
State arsenal, in Brooklyn and Ballston. (See Brooklyn.)	
State asylum for Idiots, bill to reorganize and to provide for gov- ernment of,	87, 102, 135, 407, 408, 419, 421
act to allow trustees of, to purchase additional land, ..	87, 118
	239, 337, 344, 348, 351, 359, 361, 596, 624
resolution to print annual report of,	164, 167
State Board of Assessors, resolution to print report of,	191, 196
State bridges, act for protection of. (See Bridges.)	
State Engineer and Surveyor, concurrent resolution directing, to cause survey of Seneca river, between Cayuga lake and Jack's Reefs,	480, 492
resolutions to print reports of,	98, 105, 191, 196
State lands, act for sale of,	427, 434, 508, 595, 596, 600
State library, annual report of trustees of,	512
resolution to print,	512, 521
resolution to purchase Livingston papers,	125
State Lunatic asylum, act for removal of insane convicts from Utica to Auburn,	62, 72, 80, 93, 96, 99, 290, 498
Lunatic Asylum for Insane convicts, bill to amend act to organize,	68, 168
Lunatic asylum at Utica, annual report of,	67
resolution to print,	67, 68
Lunatic asylum, petition of supervisors of Cortland county, for amendment of act organizing,	101
bill to amend act organizing,	155, 331
State Map and Gazetteer, bill to furnish to school districts,	164
	172, 256
petitions for,	256, 302
State Medical society, resolution to print transactions of,	199, 205
State Military association, invitation from, to attend meeting of, ...	70
communication from, against passage of bill to limit tenure of officers of militia,	100
State Normal school, invitation to attend closing exercises of,	110
State pond, act for road from to Jock's lake. (See Jock's lake.)	
State prison convicts, bill in relation to attempts to escape by, ..	118, 144
	149, 156, 627
State Prison Inspectors, annual report of,	52
resolution to print,	93, 106
State prisons, resolution for joint committee to examine into abuses of,	46, 114
bill in relation to punishment of crimes, and concerning prisoners confined in,	73, 92, 116, 193, 200, 205, 206
at Sing Sing and Auburn. (See Sing Sing and Auburn.)	
State tax for schools, act to appropriate,	202, 209, 281
tax, resolution that Comptroller report time of payment of, by county treasurers,	180
reply of,	210

State tax, resolution to print,	261, 434
Steamboat piers in New York city, bill for protection of,...	39, 60, 209
	258, 333
remonstrance against,	239
Steuben county, board of supervisors of, act in relation to auditing	
accounts,	375, 395, 499
county, loan commissioners of, act to postpone sale of cer-	
tain lands in Schuyler county,	71, 77, 95, 103, 280
county, superintendents of poor, act releasing certain pre-	
mises in Prattsburgh to,	132, 177, 327, 331, 334
Stillwater, bill to authorize construction of culvert under Champlain	
canal at,	494, 508
Stines, Henry, appointed clerk of committee on cities and villages,	108
Stockbridge Indians, petition of Sachems and counsellors of, for	
aid,	135, 269
bill establishing fund for, ..	269, 339, 345, 346, 348, 351, 367
	371, 378, 381
Storms, Catharine, act for relief of,	494, 515, 556, 563, 573, 623
Strong, Nathan, petition of,	340
bill to legalize acts of, as supervisor,	352, 364
St. Lawrence river, petitions for law to prohibit use of gill, trap or	
box nets in, and for passage of an act relative to taking	
fish in,	400, 408
Sister Islands in. (See Sister Islands.)	
St. Regis tribe of Indians, act for relief of,	474, 520, 595, 597, 601
Suffolk county board of supervisors, act in relation to auditing ac-	
counts by,	164, 176, 362, 363, 375, 395, 499
county, cattle in, act to prohibit from running at large, 71,	73
	74, 604, 608
county, game in, act in relation to,	385, 408, 441, 443
	457, 620
Summit, petition of citizens of town of, for act creating road dis-	
trict,	62
Sunday, bill to repeal act to preserve public peace on,	39
Superintendent Bank Department, resolution to print reports of, 47,	56
	63, 258, 325
of Insurance Department. (See Insurance.)	
of Onondaga Salt Springs, to print report of,	88, 90
act to authorize, to exchange certain lands in Syracuse, ..	164
	172, 328, 331, 335, 613
of Public Instruction, resolution to print report of, ..	130, 131
	188, 199
Superior Court of New York. (See New York city.)	
Supervisors, bill conferring additional powers upon boards of, in	
local legislation,	36, 39, 52, 65, 75, 80, 82, 103, 104, 125
	128, 129, 145, 146
act in relation to auditing accounts by boards of,	164, 176
	362, 363, 375, 395, 499
bill relating to election of boards of,	178
bill to provide for reports of,	270, 363
of Clinton county. (See Clinton.)	
of Cortland county. (See Cortland.)	
of Greene county. (See Greene.)	
of Monroe county. (See Monroe.)	
of Niagara county. (See Niagara.)	
of Richmond county. (See Richmond.)	
of Westchester county. (See Westchester.)	

Supreme court, bill in relation to justices of, in first judicial district	39
bill to repeal act in relation to preferred causes in,....	116, 241
	291, 312, 318, 320
bill in relation to preferred causes in,.....	241, 291
bill to facilitate trial of civil actions in first judicial district of,.....	294, 332
bill to amend act in relation to preferred causes in,.....	394
Surrogate of Monroe county. (See Monroe county.)	
of New York, bill in relation to funds of Wm. H. Sibley in hands of,.....	182
Surrogates' courts, bill concerning proof of wills in,.....	416, 424, 493
	506, 516
Susquehanna seminary, bill for relief of,....	60, 144, 216, 217, 220, 238
	239, 243, 581
petitions for,.....	167, 195
Suts, Benjamin, petition of, to change name of Mary J. J. Bell, to Mary J. J. Suts,	209
Swill milk, bill to prevent sale of,....	250, 382, 408, 419, 494, 508, 515
	521, 544
Syracuse city charter, bill to amend act to revise,...	351, 363, 382, 383
	388, 392
city railroads in, act authorizing construction of, in certain streets, and town of Geddes,	387, 392, 486, 502
	526, 559, 622
and Tully plankroad, bill to repeal chapter 369, Laws of 1858, in relation to,	323

T.

Talcott, John L., to appoint Commissioner to Washington,.....	141
Tariff, concurrent resolutions requesting Congress to repeal,	492
Taxation, bill to amend Revised Statutes in relation to property exempt from,	385
Tax bill, act to provide means to support government. (See Government.)	
Taxes on non-resident lands, petition relating to collection of,.....	224
bills to amend act relating to collection of, .	352, 362, 391, 393
	405, 412, 440, 447
bill to amend law extending time for collection of,...	251, 291
bill to amend Revised Statutes of assessment and collection of,.....	347, 350
in Oneida county. (See Oneida county.)	
in Rochester. (See Rochester.)	
State. (See State taxes.)	
in Troy. (See Troy.)	
in Westchester. (See Westchester.)	
Technology, Institute of, bill to incorporate,.....	145
Telegraph operators, act in relation to,....	538, 542, 582, 623
Terwilliger, James, resolution of thanks to, as Clerk,	626
Texas, resolutions from Legislature of,.....	214
Third avenue and Fordham railroad, bill relative to, .	121, 129, 425, 492
Thomson, Chas. B., and Hiram Hascall, act to amend act for payment of canal damages to,.....	294, 307, 346, 351, 370, 377
	427, 502
Thorn, John, petition of, for canal damages,	167
act for relief of. (See Gaskell, B. F.)	

Thurman, Ralph, act for relief of heirs of, &c.,...	290, 339, 344, 349, 358
	545, 625
Tioga county board of supervisors, act in relation to auditing accounts by,.....	164, 176, 362, 363, 375, 395, 499
Tolls, discriminating. (See Discriminating.)	
on New York Central railroad. (See New York Central.)	
on railroads. (See Railroads.)	
Tompkinsville Fire Police company, bill to incorporate,...	435, 484, 512
Tonawanda Indians, act for protection and improvement of band of,	524
	547, 576, 591
remonstrance against,	470
Tonawanda reservation, bill to authorize sale of schoolhouse erected by State on,.....	373, 409
Tonawanda village, act to amend act incorporating,.....	126, 263, 441
	546, 584, 608
bill to exempt certain territory from corporation of,.....	524
Town Insurance companies, act to amend act authorizing formation of,.....	126, 344, 349, 360, 367, 395, 499
Towns, bill to divide into election districts,.....	437, 442
Transparent or Jock's lake, road from, to State pond. (See Road, &c.)	
Treasurers of counties. (See County treasurers.)	
Trial of civil actions, bill to facilitate. (See Civil actions.)	
Troy, city of, act to authorize sale of lands for taxes,.....	101, 106, 119
	123, 280
remonstrance against,	381
act in relation to abatement of nuisances in,....	224, 269, 382
	383, 391, 420, 580
act to authorize, to raise money by tax,.....	249, 281
act to organize fire department and board of fire commissioners,.....	475, 509, 512, 516, 555, 623
Troy and Lansingburgh railroad, act in relation to,...	427, 456, 474, 485
	527, 559
Savings bank, act to incorporate,.....	437, 456, 471, 486, 620
University, petition for aid to,.....	111, 381
resolution relative to papers of,.....	114
bill for aid to,	427, 513, 597
act to give power to trustees of, to settle unpaid subscriptions, &c.,.....	537, 543, 562, 589, 591, 605
Trustees of common schools, bill relating to election of,.....	42, 156
Trustees of State library, resolution that, purchase Livingston papers,	125
annual report of,.....	512
resolution to print,	512, 521
Turnpike Inspectors, petition for amendment of law relating to, ...	432
Gilboa and Potter's Hollow. (See Gilboa.)	
in Newtown. (See Newtown.)	
Turnpike road, Great Island. (See Great Island.)	

U.

Ulster county board of supervisors, act in relation to auditing,....	164
	176, 362, 363, 375, 395, 499
Unadilla, act to amend act to encourage construction of sidewalks in,.....	436, 488, 494, 508, 558, 622
Unconstitutional laws, petition for repeal of,.....	95
Union Free school in Lenox. (See Lenox.)	

Union, town of, act to change name of, to Hamlin,.....	91, 106, 222
	231, 281
United States, Constitution, bill to submit question of amending, to	
people of this State,.....	62, 77, 82, 115
petitions for,	135, 143, 167
government of, act to aid in obtaining loan of money on its	
bonds,.....	155, 164, 165, 167, 168, 281
deposit fund, resolutions relative to,.....	125, 136, 138, 155
Senator, resolution to proceed to election of,.....	71, 84, 118
election of,.....	137, 139
act ceding jurisdiction to, for lands for light houses, sites	
of fortifications, etc.,...294, 309, 316, 343, 349, 357, 402,	418
	482, 486, 509, 532, 559
act granting consent to purchase lands in New York for	
Postoffice,.....	325, 394, 434, 441, 443, 448, 501
act giving consent of State of New York to purchase Sister	
Islands,	426, 434, 483, 486, 530
University of Brooklyn, act to incorporate. (See Brooklyn.)	
Unsafe buildings in New York. (See New York city, unsafe, &c.)	
Utica city charter, bill to amend,.....	303, 343, 361, 363, 375
common council, act to pay floating debt of, &c.,....	132, 208
	213, 216, 232, 249, 281
recorder's court in, act to amend act to establish, .	81, 82, 281

V.

Valatie, village of, act to amend act for incorporation of villages, so	
far as relates to,.....	523, 543, 545, 547, 568, 622
Van Alstine, Stephen, act for relief of,.....	494, 507, 556, 564, 593, 594
	595, 597, 602
Van Buren, Jeremiah, act to provide for appraisal and payment of	
canal damages of,.....	117, 118, 170, 180, 302, 461, 465
	482, 620
Vanderbosch, John W., act for appraisal and payment of canal dam-	
ages to,.....	436, 515, 556, 563, 571, 624
Van Dyck, H. H., invitation from, to attend exercises of State Nor-	
mal school,.....	110
Clerk to transmit confirmation of, as Bank Superintendent, 627	
Vagrancy in New York. (See New York city.)	
Vassar Female college, act to incorporate,....	40, 52, 60, 62, 63, 77, 280
Veterans' National Guard, seventh regiment, act to incorporate, ...	107
	121, 173, 174, 178, 179, 249, 497
Veteran Scott Life Guard, act to incorporate,....	282, 291, 305, 317, 318
	384, 498
Villages, act to amend certain sections to provide for incorporation	
of,.....	524, 545, 546, 621
Virginia, State of, resolutions from General Assembly of, request-	
ing appointment of Commissioners from all the States to	
meet at Washington,	94
motion to refer to select committee,.....	95, 102, 139
appointment of committee,.....	104
report of committee,.....	127, 128, 133
appointment of commissioners,....	127, 133, 139, 140, 144, 157
	161, 167, 179, 190
Voluntary assignments, bill to amend Revised Statutes relative to.	
(See Assignments.)	
Volunteer militia, act to authorize embodying and equipping, and	
to provide for public defence,.....	607, 608

- Volunteers' Burial and Monumental association, act to incorporate, . 372
 456, 483, 485, 491, 517, 623
 Voters, bill to authorize inspectors of election to administer oaths
 to. (See Inspectors of election.)

W.

- Wadsworth, James S., appointed Commissioner to Washington, . . . 127
 133, 139, 142
 War of 1812, petition of veterans of, that commission to examine
 claims of, may be brought to speedy close, . . . 148, 167
 act to abolish commission to examine claims of, . . . 385, 433
 474, 485, 490, 514, 519, 548, 581, 623
 Warner, George W., appointed clerk of committee on commerce and
 navigation, . . . 114
 Warren County Agricultural society, petition of, for relief, . . . 72, 175
 resolution relative to papers of, . . . 75
 act to enable, to draw money for agricultural purposes, . . 175
 276, 288, 293, 297
 Warwick Valley railroad, act authorizing, to use fifty pound iron
 rail, . . . 316, 462, 483, 485, 491
 Washington, resolution appointing Peace Commissioners to. (See
 Commissioners to Washington.)
 Waterman, Smith A., act for relief of, . . . 475, 486, 556, 562, 571
 Watertown, court house in, act in relation to doings of supervisors
 of Jefferson county relative to tax to build, . . . 200, 209, 287
 289, 314, 580, 622
 Fire department, act to amend charter of, . . 156, 171, 311, 321
 402, 437, 484, 501
 petition for, . . . 155
 Home for Destitute, Friendless and Orphan children in, bill
 authorizing supervisors of Jefferson county to raise
 money for, . . . 97, 121, 131, 314, 317, 318
 water commissioners, act to authorize, to borrow money, . 283
 331, 383, 392, 396, 608
 petition for, . . . 278
 Watkins, village of, act to amend acts to consolidate and amend
 several acts relating to, . . . 395, 415, 423, 426, 438, 501
 village of, act to amend act to consolidate and amend several
 acts relating to, . . . 539, 621
 Wayne County Savings bank, act to incorporate, . . . 81, 84, 131, 162
 163, 172, 541, 545, 622
 Weed, Thurlow, concurrent resolution to appoint Commissioner to
 Washington, . . . 157, 161
 communication from, declining, . . . 166
 Westchester county, officers of, act in relation to reports of, . . 156, 176
 306, 307, 317, 318, 384, 498
 county, railroads in, petition relating to, . . . 239
 County Savings bank, to incorporate, . . . 524
 (See Mount Vernon Savings bank.)
 county, supervisors of, bill in relation to powers and du-
 ties of, . . . 39
 county, supervisors of, act to authorize to purchase Rapel-
 yea or Pelham bridge, . . . 45, 102, 144, 213, 219, 225, 228
 290, 497
 county, taxes in, act to amend act authorizing sale of lands
 for, . . . 172, 210, 258, 266, 272, 273, 395, 499

Westchester county, bill in relation to High Bridge in, over Croton river,.....	42, 67, 75, 77,	79
creek, act to amend law relative to improvement of,...	83,	87
	96, 110, 112, 113, 188,	281
Western House of Refuge, annual report of trustees of,		42
• resolution to print,.....	42,	48
act to amend act authorizing erection of,.....	83, 88, 256,	299
	305, 310, 318, 326,	608
petition for extension of,		148
West Farms, school district No. 1, act authorizing board of education of, to borrow money to build school house,....	435,	444
	483, 502, 556,	625
town of, act to authorize macadamizing public road in,...	504	
	508, 520, 556,	621
Westfield and Clymer plankroad company, act to repeal charter of,	211	
	219, 225, 227, 544,	621
Metropolitan Fair Ground company, act to incorporate, ..	538	
	544, 582,	623
and Sherman plankroad company, act to repeal charter of,	211	
	219, 225, 227, 544,	621
Westfield and Richmond county, petition of inhabitants of, for redress of grievances,.....	105,	178
West Troy, act to authorize and establish jail or lock-up, in village of,.....	524, 525, 562, 575, 588,	624
West Washington market, in New York, bill to repeal act in regard to,		37
Whipple, A. W., communication from, relative to Sister Islands, ..	282	
Whipple, Squire, petition of, for compensation of property,.....	39,	47
bill providing for settlement of claim of,		203
resolution that Attorney General give his opinion as to liability of State to pay claim of,		103
reply of Attorney General,		124
White, James W., bill to give preference to trial of, against John Clancy,.....	183, 221, 244, 300,	305
Whitlock, Franklin W., bill for relief of,.....	427,	515
Widows with small children, bill to amend act to incorporate society of,.....	112, 172, 327, 331,	334
Wilcox, Oliver J., petition of, for relief,.....		80
report of committee on,		170
Wilds, D. E., appointed Assistant librarian,		54
Wilmurt and Morehouse, act in relation to highway between, .	537,	545
	598, 599,	602
Williams, Addison G., Milton T. Butts and Peter B. Williams, act for relief of,.....	436, 472, 556, 562, 572,	625
Wills, bill concerning proof of, by executors, administrators, guardians and wards,.....	416, 424, 493, 506, 516,	566
Wilson, Peter, Grand Sachem of Six Nations, petition of,.....		209
	256,	257
Wine Creek swamp, act to provide for draining,....	248, 291, 302,	309
	338, 352, 373,	500
Wisconsin, resolutions of Legislature of State of,.....		379
Witnesses in justices' courts. (See Justices of the peace, courts of.)		
Wolven, Gilbert, act for appraisal and payment of canal damages to,.....	436, 508, 556, 563, 573,	623
Woman's hospital, bill to aid,	333,	383
Wool, Major Gen. John E., appointed Peace Commissioner to Washington,		142, 144

Woolworth, S. B., communication from, relative to vacancies in board of Regents of the University,	76
Worden, Anne, and Hicks, heirs of Jonathan Worden, petition of, for relief,	62
Worrall, Mary, act for relief of,	324, 332, 451, 608, 625

Y.

Yonkers, School district number two in, act to divide,	87, 97, 120
	131, 133, 579
town of, bill to authorize, to raise money to macadamize roads in,	373, 408
Young, Francis E., bill to legalize acts of,	539, 547

Z.

Zeta Phi Fraternity, act to incorporate,	132, 301, 303, 324, 326
	540, 580

